

MONDAY, MARCH 20, 2023

SIXTEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Dr. Jeff Owens, First Baptist Church, McMinnville, TN.

Representative Sherrell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 96

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Darby; personal

PRESENT IN CHAMBER

Reps. Lafferty and Pearson were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 97 Rep. Reedy as prime sponsor.

House Joint Resolution No. 98 Rep. Reedy as prime sponsor.

House Joint Resolution No. 100 Rep. Hawk as prime sponsor.

House Joint Resolution No. 119 Reps. Vital and Doggett as prime sponsors.

House Joint Resolution No. 300 Reps. Marsh and Hawk as prime sponsors.

House Joint Resolution No. 305 Rep. Marsh as prime sponsor.

House Joint Resolution No. 430 Rep. Mitchell as prime sponsor.

House Joint Resolution No. 454 Rep. Boyd as prime sponsor.

House Joint Resolution No. 455 Rep. Boyd as prime sponsor.

House Joint Resolution No. 460 Reps. Rudd and Reedy as prime sponsors.

House Bill No. 426 Rep. Camper as prime sponsor.

House Bill No. 491 Rep. Hemmer as prime sponsor.

House Bill No. 548 Rep. Camper as prime sponsor.

House Bill No. 554 Reps. Russell, Howell, White and Clemmons as prime sponsors.

House Bill No. 736 Reps. Dixie, Camper, White and Lafferty as prime sponsors.

House Bill No. 854 Reps. Sherrell, Slater and Littleton as prime sponsors.

House Bill No. 855 Reps. Sherrell, Slater and Littleton as prime sponsors.

House Bill No. 883 Reps. Carringer, Vaughan, Alexander, Ragan, White, Hurt and Reedy as prime sponsors.

House Bill No. 985 Reps. Camper and Jernigan as prime sponsors.

House Bill No. 988 Reps. Camper, Clemmons, Jernigan and Alexander as prime sponsors.

House Bill No. 1086 Rep. Todd as prime sponsor.

House Bill No. 1195 Rep. Doggett as prime sponsor.

House Bill No. 1198 Reps. Hardaway, Gant, Haston, G. Hicks, Sherrell, Slater, Doggett, White, Littleton and Alexander as prime sponsors.

House Bill No. 1217 Reps. Love and Beck as prime sponsors.

House Bill No. 1309 Reps. Towns, Hardaway and Moody as prime sponsors.

House Bill No. 1313 Rep. Hawk as prime sponsor.

House Bill No. 1492 Reps. Faison, Towns, Camper, Williams, Grills, Cochran and T. Hicks as prime sponsors.

House Bill No. 1536 Reps. McCalmon, Jernigan and White as prime sponsors.

MESSAGE FROM THE SENATE

March 17, 2023

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 327, 359, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 and 385; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 17, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 299, 300, 301, 302, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318 and 319; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 299** -- Memorials, Professional Achievement - Michael Hubbard, Kingsport City Schools Supervisor of the Year. by *Lundberg.

***Senate Joint Resolution No. 300** -- Memorials, Professional Achievement - Dr. Stacy Edwards, Kingsport City Schools District Principal of the Year. by *Lundberg.

***Senate Joint Resolution No. 301** -- Memorials, Professional Achievement - Marie Taylor, Kingsport City Schools District Grades Pre-K-4 Teacher of the Year. by *Lundberg.

***Senate Joint Resolution No. 302** -- Memorials, Professional Achievement - Kathleen Donnellan, Kingsport City Schools District Teacher of the Year Grades 5-8. by *Lundberg.

***Senate Joint Resolution No. 303** -- Memorials, Professional Achievement - Regina Davenport, Kingsport City Schools District Teacher of the Year Grades 9-12. by *Lundberg, *Watson.

***Senate Joint Resolution No. 304** -- Memorials, Recognition - Frank Lannom. by *Pody.

***Senate Joint Resolution No. 306** -- Memorials, Academic Achievement - Annabelle Lockridge, Valedictorian, Chester County High School. by *Walley.

***Senate Joint Resolution No. 307** -- Memorials, Academic Achievement - Jacelyn Haskins, Salutatorian, Chester County High School. by *Walley.

***Senate Joint Resolution No. 308** -- Memorials, Sports - Bolivar Central High School boys' basketball team, district championship. by *Walley.

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***Senate Joint Resolution No. 309** -- Memorials, Personal Achievement - Xavier Thomas Burval, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 310** -- Memorials, Sports - Rossville Christian Academy girls' basketball team. by *Walley.

***Senate Joint Resolution No. 311** -- Memorials, Sports - Rossville Christian Academy boys' basketball team. by *Walley.

***Senate Joint Resolution No. 312** -- Memorials, Recognition - Janae Edmondson. by *Reeves, *Lamar, *White.

***Senate Joint Resolution No. 313** -- Memorials, Death - Arzo Carson. by *Yager, *McNally, *Massey, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yarbro.

***Senate Joint Resolution No. 314** -- Memorials, Recognition - Gaye Lynn Wilson. by *Pody.

***Senate Joint Resolution No. 315** -- Memorials, Death - Aleya Brooks. by *Haile.

***Senate Joint Resolution No. 316** -- Memorials, Retirement - Natalie Knudsen. by *Haile.

***Senate Joint Resolution No. 317** -- Memorials, Personal Achievement - Nathan Gafney, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 318** -- Memorials, Personal Achievement - Hayden Baker, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 319** -- Memorials, Sports - Knoxville Catholic High School Lady Irish basketball team, TSSAA Division II-AA State Champions. by *McNally, *Massey, *Briggs.

MESSAGE FROM THE SENATE

March 17, 2023

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 221, 412, 522, 557, 1080, 1531, 1532, 1547 and 1548; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 17, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 19, 107, 172, 267, 296, 407, 515, 628, 629, 859, 988, 1203, 1212 and 1281; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 19** -- Expunction - As introduced, authorizes the expunction of public records, without cost, of a person who has been charged with a felony or a misdemeanor if the charge is abated by death. - Amends TCA Section 40-32-101. by *Massey. (HB1359 by *Farmer, *Russell)

***Senate Bill No. 107** -- Motor Vehicles, Titling and Registration - As introduced, clarifies that an owner or lessee of a motor vehicle who is the parent, legal guardian, or conservator of a person who has an intellectual or developmental disability or medical condition, who may be operating the owner's or lessee's vehicle, and who needs assistance in communicating specific needs to law enforcement and first responders, may apply for a designation of such person's need in the Tennessee Vehicle Title and Registration System (VTRS) database. - Amends TCA Title 55, Chapter 21, Part 3. by *Powers, *Johnson, *Massey. (HB257 by *Bulso)

Senate Bill No. 172 -- Criminal Offenses - As introduced, exempts from the offense of possessing or carrying a weapon on school property the possession or carrying of a pocket knife by a nonstudent adult on election day if the knife remains concealed at all times while the adult is on school property for the sole purpose of voting in an election for which the school is the adult's designated polling place. - Amends TCA Title 39, Chapter 17 and Title 49. by *Hensley. (*HB159 by *Capley, *Butler, *Doggett, *Lamberth, *Haston, *Martin B, *Ragan, *Barrett, *McCalmon, *Littleton, *Garrett, *Richey, *Reedy, *Grills, *Crawford, *Hicks T, *Sherrell)

***Senate Bill No. 267** -- Hospitals and Health Care Facilities - As introduced, increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804 upon the voluntary surrender of the certificate of need for such additional beds by the transferring owner. - Amends TCA Title 71, Chapter 5, Part 1. by *Johnson, *Reeves, *Lowe. (HB315 by *Lamberth, *Cochran, *Hazlewood, *Jernigan)

***Senate Bill No. 296** -- Medical Occupations - As introduced, requires the board of medical examiners, board of osteopathic examination, board of nursing, and board of physician assistants to, within 45 days of receiving an application for Tennessee licensure from a person who is licensed in another jurisdiction, render a decision on the application and either issue the license or inform the applicant of its decision to deny licensure and the reasons for the denial. - Amends TCA Title 4; Title 63 and Title 68. by *Gardenhire. (HB779 by *Helton-Haynes)

***Senate Bill No. 407** -- Water Pollution - As introduced, decreases from 30 to 20, the amount of days within which a polluter or violator must make an appeal following notification of an assessment of liability for damages to the state. - Amends TCA Title 69, Chapter 3, Part 1. by *Hensley. (HB523 by *Haston)

***Senate Bill No. 515** -- Firearms and Ammunition - As introduced, expands employees allowed to carry a handgun on property owned, operated, or controlled by a public institution of higher education to include retired law enforcement officers who retired in good standing with 20 years of service and are employed on a part-time basis by a public institution of higher education. - Amends TCA Title 39, Chapter 17. by *Lundberg, *Lowe. (HB723 by *Hulsey)

***Senate Bill No. 628** -- Environment and Conservation, Department of - As introduced, adds to the bill of rights for permit applicants under the Water Quality Control Act that permit applicants have the right to have their permit applications considered based on the contents of the permit application and conditions that exist at the time the permit application is under consideration, rather than possible future conditions unrelated to the purposes for which the permit is sought as identified in the application. - Amends TCA Title 68 and Title 69. by *Taylor, *Rose. (HB1056 by *Vaughan, *Williams)

***Senate Bill No. 629** -- Water Pollution - As introduced, requires the department of environment and conservation to exempt from compensatory mitigation an area equal in size to the area for which mitigation would not be required if the permit applicant qualified for coverage under a general permit, if the only factor that disqualifies an applicant for an aquatic resource alteration permit from having the activities for which a permit is sought covered under a general permit is the size of the area that the permit will apply to. - Amends TCA Title 69, Chapter 3. by *Taylor, *Rose. (HB1057 by *Vaughan, *Williams)

Senate Bill No. 859 -- Controlled Substances - As introduced, changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual report to the chief clerks of the senate and the house of representatives and the legislative librarian. - Amends TCA Title 24; Title 33; Title 39; Title 40; Title 63 and Title 68. by *Reeves. (*HB982 by *Terry, *Hardaway)

Senate Bill No. 988 -- Wine & Wineries - As introduced, authorizes wineries, farm wineries, and manufacturers of alcoholic beverages to distill and fortify wine and blend the distilled or fortified wine with their products. - Amends TCA Title 57, Chapter 3. by *Yager. (*HB384 by *Moon, *Carr)

Senate Bill No. 1203 -- Lottery, Charitable - As introduced, allows a 501(c)(3) foundation connected to a chamber of commerce that has been in continuous and active existence in this state for at least 10 successive years in the county to hold an annual event. - Amends TCA Title 3, Chapter 17. by *Lowe. (*HB1387 by *Ragan)

Senate Bill No. 1212 -- Secretary of State - As introduced, requires the Secretary of State to establish and implement a program designated as the Tennessee Businesses Against Trafficking program to engage participating corporations and other private entities in voluntary efforts to identify, prevent, and combat human trafficking. - Amends TCA Title 38, Chapter 1. by *White, *Akbari, *Lamar, *Lowe, *Jackson, *Massey. (*HB115 by *Moody, *Davis, *Towns, *Carringer, *Doggett)

Senate Bill No. 1281 -- School Transportation - As introduced, decreases from 15 to 14, the number of passengers that a youth bus must be designed to carry in order that a driver of another vehicle commits a Class C misdemeanor for failing to stop upon approaching the bus when stopped to receive or discharge passengers. - Amends TCA Title 55, Chapter 8. by *Taylor, *Massey, *Briggs, *Powers, *Bowling, *Jackson. (*HB818 by *Whitson, *Wright, *Carr, *Harris, *Kumar, *Baum)

ENROLLED BILLS
March 17, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 221, 412, 522, 557, 1080, 1531, 1532, 1547 and 1548; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 17, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 124, 328, 329, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 354, 355, 356, 357 and 358; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
March 17, 2023**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 252, 253, 254, 255, 256, 257, 258, 259, 260, 262, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 275, 276, 277, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 292, 293, 294, 295, 296, 297 and 302; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

**ENROLLED BILLS
March 17, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 327, 359, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 and 385; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 17, 2023**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 327, 359, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 and 385.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 17, 2023**

The Speaker announced that he had signed the following: Senate Bills Nos. 29, 32, 38, 39, 41, 42, 46, 49, 54, 63, 65, 66, 126, 146, 244, 261, 271, 315, 334, 402, 450, 454, 577, 578, 679, 731, 759, 786, 874, 925, 976, 984, 1174, 1225 and 1297.

TAMMY LETZLER, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 17, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 353; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 20, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 701, 926, 987 and 1541; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 701** -- Audiologists and Speech Pathologists - As introduced, clarifies the emergency medical backup requirement for speech language pathologists using endoscopes so that the procedure may be performed when a physician is on the premises or is remotely available regardless of whether the procedure is performed in a community or institutional setting. - Amends TCA Title 63, Chapter 17, Part 1. by *Crowe. (HB729 by *Hulsey)

***Senate Bill No. 926** -- Industrial Development - As introduced, removes the requirement that members of the board of directors for an industrial development corporation be qualified electors of and taxpayers in the county or city that created the corporation. - Amends TCA Title 7, Chapter 53. by *Lundberg. (HB1430 by *Hicks G)

Senate Bill No. 987 -- Local Education Agencies - As introduced, increases, from one-half unit to one unit, the amount of elective credit a student may receive for completing a released time course if the student's local board of education has adopted a policy to allow credit to be awarded to students for work completed in a released time course. - Amends TCA Section 49-2-130. by *Yager. (*HB680 by *Powers)

Senate Bill No. 1541 -- Greeneville - Subject to local approval, rewrites the town charter. - Amends Chapter 563 of the Acts of 1903; as amended. by *Southerland. (*HB1549 by *Hawk)

**MESSAGE FROM THE SENATE
March 20, 2023**

MONDAY, MARCH 20, 2023 – SIXTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 184; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 184** -- Alcoholic Beverages - As introduced, authorizes the city of Moscow and other municipalities with a population between 570 and 699 persons that employ a full-time police department to hold a referendum on the question of whether to authorize package stores and liquor-by-the-drink in their respective jurisdictions. - Amends TCA Title 57. by *Walley. (HB444 by *Shaw)

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Hakeem, joined by Rep. Hazelwood, was recognized in the Well to honor country music star Kane Brown.

RESOLUTION READ

The Clerk read House Joint Resolution No. 317, adopted March 2, 2023,

***House Joint Resolution No. 317** -- Memorials, Recognition - Kane Brown. by *Hakeem, *Helton-Haynes, *Hazelwood, *Vital, *Martin G. (*Watson, *Gardenhire)

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for March 23, 2023:

House Resolution No. 41 -- Memorials, Recognition - Fair Housing Month. by *Freeman.

***House Joint Resolution No. 466** -- Memorials, Recognition - Dr. John Taylor "Chuck" Herring. by *Vaughan, *Gant.

***House Joint Resolution No. 467** -- Memorials, Recognition - Brad Gioia. by *Powell.

***House Joint Resolution No. 468** -- Memorials, Recognition - Brian Copeland, 2022 REALTOR of the Year. by *Beck.

***House Joint Resolution No. 469** -- Memorials, Recognition - Sher Powers, 2023 President of Tennessee REALTORS. by *Beck.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

MONDAY, MARCH 20, 2023 – SIXTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for March 23, 2023:

***Senate Joint Resolution No. 213** -- Memorials, Recognition - "Go Inspire Day" in Tennessee, April 6, 2023. by *Roberts.

***Senate Joint Resolution No. 321** -- Memorials, Recognition - Tennessee Society of the Sons of the American Revolution. by *Gardenhire, *Powers.

***Senate Joint Resolution No. 322** -- Memorials, Recognition - Tennessee Association of Human Resource Agencies, 50th anniversary. by *Walley, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Watson, *White, *Yager, *Yarbro, *McNally.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 19** -- Expunction - As introduced, authorizes the expunction of public records, without cost, of a person who has been charged with a felony or a misdemeanor if the charge is abated by death. - Amends TCA Section 40-32-101. by *Massey. (HB1359 by *Farmer, *Russell)

***Senate Bill No. 107** -- Motor Vehicles, Titling and Registration - As introduced, clarifies that an owner or lessee of a motor vehicle who is the parent, legal guardian, or conservator of a person who has an intellectual or developmental disability or medical condition, who may be operating the owner's or lessee's vehicle, and who needs assistance in communicating specific needs to law enforcement and first responders, may apply for a designation of such person's need in the Tennessee Vehicle Title and Registration System (VTRS) database. - Amends TCA Title 55, Chapter 21, Part 3. by *Powers, *Johnson, *Massey. (HB257 by *Bulso)

Senate Bill No. 172 -- Criminal Offenses - As introduced, exempts from the offense of possessing or carrying a weapon on school property the possession or carrying of a pocket knife by a nonstudent adult on election day if the knife remains concealed at all times while the adult is on school property for the sole purpose of voting in an election for which the school is the adult's designated polling place. - Amends TCA Title 39, Chapter 17 and Title 49. by *Hensley. (*HB159 by *Capley, *Butler, *Doggett, *Lamberth, *Haston, *Martin B, *Ragan, *Barrett, *McCalmon, *Littleton, *Garrett, *Richey, *Reedy, *Grills, *Crawford, *Hicks T, *Sherrell)

***Senate Bill No. 267** -- Hospitals and Health Care Facilities - As introduced, increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804 upon the voluntary surrender of the certificate of need for such additional beds by the transferring owner. - Amends TCA Title 71, Chapter 5, Part 1. by *Johnson, *Reeves, *Lowe. (HB315 by *Lamberth, *Cochran, *Hazlewood, *Jernigan)

***Senate Bill No. 296** -- Medical Occupations - As introduced, requires the board of medical examiners, board of osteopathic examination, board of nursing, and board of physician assistants to, within 45 days of receiving an application for Tennessee licensure from a person

who is licensed in another jurisdiction, render a decision on the application and either issue the license or inform the applicant of its decision to deny licensure and the reasons for the denial. - Amends TCA Title 4; Title 63 and Title 68. by *Gardenhire. (HB779 by *Helton-Haynes)

***Senate Bill No. 407** -- Water Pollution - As introduced, decreases from 30 to 20, the amount of days within which a polluter or violator must make an appeal following notification of an assessment of liability for damages to the state. - Amends TCA Title 69, Chapter 3, Part 1. by *Hensley. (HB523 by *Haston)

***Senate Bill No. 515** -- Firearms and Ammunition - As introduced, expands employees allowed to carry a handgun on property owned, operated, or controlled by a public institution of higher education to include retired law enforcement officers who retired in good standing with 20 years of service and are employed on a part-time basis by a public institution of higher education. - Amends TCA Title 39, Chapter 17. by *Lundberg, *Lowe. (HB723 by *Hulsey)

***Senate Bill No. 628** -- Environment and Conservation, Department of - As introduced, adds to the bill of rights for permit applicants under the Water Quality Control Act that permit applicants have the right to have their permit applications considered based on the contents of the permit application and conditions that exist at the time the permit application is under consideration, rather than possible future conditions unrelated to the purposes for which the permit is sought as identified in the application. - Amends TCA Title 68 and Title 69. by *Taylor, *Rose. (HB1056 by *Vaughan, *Williams)

***Senate Bill No. 629** -- Water Pollution - As introduced, requires the department of environment and conservation to exempt from compensatory mitigation an area equal in size to the area for which mitigation would not be required if the permit applicant qualified for coverage under a general permit, if the only factor that disqualifies an applicant for an aquatic resource alteration permit from having the activities for which a permit is sought covered under a general permit is the size of the area that the permit will apply to. - Amends TCA Title 69, Chapter 3. by *Taylor, *Rose. (HB1057 by *Vaughan, *Williams)

Senate Bill No. 859 -- Controlled Substances - As introduced, changes the date, from January 1 to January 15, by which the medical cannabis commission must submit its annual report to the chief clerks of the senate and the house of representatives and the legislative librarian. - Amends TCA Title 24; Title 33; Title 39; Title 40; Title 63 and Title 68. by *Reeves. (*HB982 by *Terry, *Hardaway)

Senate Bill No. 988 -- Wine & Wineries - As introduced, authorizes wineries, farm wineries, and manufacturers of alcoholic beverages to distill and fortify wine and blend the distilled or fortified wine with their products. - Amends TCA Title 57, Chapter 3. by *Yager. (*HB384 by *Moon, *Carr)

Senate Bill No. 1203 -- Lottery, Charitable - As introduced, allows a 501(c)(3) foundation connected to a chamber of commerce that has been in continuous and active existence in this state for at least 10 successive years in the county to hold an annual event. - Amends TCA Title 3, Chapter 17. by *Lowe. (*HB1387 by *Ragan)

Senate Bill No. 1212 -- Secretary of State - As introduced, requires the Secretary of State to establish and implement a program designated as the Tennessee Businesses Against Trafficking program to engage participating corporations and other private entities in voluntary

efforts to identify, prevent, and combat human trafficking. - Amends TCA Title 38, Chapter 1. by *White, *Akbari, *Lamar, *Lowe, *Jackson, *Massey. (*HB115 by *Moody, *Davis, *Towns, *Carringer, *Doggett)

Senate Bill No. 1281 -- School Transportation - As introduced, decreases from 15 to 14, the number of passengers that a youth bus must be designed to carry in order that a driver of another vehicle commits a Class C misdemeanor for failing to stop upon approaching the bus when stopped to receive or discharge passengers. - Amends TCA Title 55, Chapter 8. by *Taylor, *Massey, *Briggs, *Powers, *Bowling, *Jackson. (*HB818 by *Whitson, *Wright, *Carr, *Harris, *Kumar, *Baum)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1559** -- Burns -- House Local Government Committee

***House Bill No. 1560** -- Blount County -- House Local Government Committee

***House Bill No. 1561** -- Sumner County -- House Local Government Committee

***House Bill No. 1562** -- Petersburg -- House Local Government Committee

***House Bill No. 1563** -- Maury County -- House Local Government Committee

CAPTION BILLS REFERRED March 20, 2023

Pursuant to **Rule No. 47**, the following Caption Bills 273 and 1420 held on the Clerk's desk were referred to the following Committees:

***House Bill No. 273** -- Health, Dept. of -- House Health Committee

***House Bill No. 1420** -- Commerce and Insurance, Dept. of -- House State Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 20, 2023**, reported the following:

GOVERNMENT OPERATIONS COMMITTEE

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

The Government Operations Committee recommended for passage: House Bill No. 1097. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 154, 1503, 391 and 747, also House Bill No. 1490 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

***House Joint Resolution No. 97** -- General Assembly, Confirmation of Appointment - Mike O'Malley, Austin Peay State University Board of Trustees. by *Lamberth, *Cochran, *Johnson C, *Reedy.

On motion, **Senate Joint Resolution No. 131** was substituted for House Joint Resolution No. 97.

***House Joint Resolution No. 98** -- General Assembly, Confirmation of Appointment - Katherine Cannata, Austin Peay State University Board of Trustees. by *Lamberth, *Cochran, *Johnson C, *Reedy.

On motion, **Senate Joint Resolution No. 130** was substituted for House Joint Resolution No. 98.

***House Joint Resolution No. 99** -- General Assembly, Confirmation of Appointment - Ron Ramsey, East Tennessee State University Board of Trustees. by *Lamberth, *Alexander, *Cochran, *Hulsey, *Hawk, *Williams.

***House Joint Resolution No. 100** -- General Assembly, Confirmation of Appointment - Melissa Steagall-Jones, East Tennessee State University Board of Trustees. by *Lamberth, *Alexander, *Cochran, *Hulsey, *Hawk.

On motion, **Senate Joint Resolution No. 133** was substituted for House Joint Resolution No. 100.

***House Joint Resolution No. 106** -- General Assembly, Confirmation of Appointment - David McKinney, University of Memphis Board of Trustees. by *Lamberth, *White, *Cochran.

On motion, **Senate Joint Resolution No. 139** was substituted for House Joint Resolution No. 106.

***House Joint Resolution No. 109** -- General Assembly, Confirmation of Appointment - Natalie Tate, University of Tennessee Health Science Center Advisory Board. by *Lamberth, *Cochran, *Vital.

On motion, **Senate Joint Resolution No. 142** was substituted for House Joint Resolution No. 109.

***House Joint Resolution No. 155** -- General Assembly, Confirmation of Appointment - Hal Bynum, University of Tennessee at Martin Advisory Board. by *Lamberth, *Cochran, *Darby.

On motion, **Senate Joint Resolution No. 171** was substituted for House Joint Resolution No. 155.

***House Joint Resolution No. 114** -- General Assembly, Confirmation of Appointment - Daniel French, State Textbook and Instructional Materials Quality Commission. by *Lamberth, *White, *Cochran.

On motion, **Senate Joint Resolution No. 147** was substituted for House Joint Resolution No. 114.

***House Joint Resolution No. 189** -- General Assembly, Confirmation of Appointment - Dr. Chad Lewis, Standards Recommendation Committee for Science and Social Studies. by *Lamberth, *Cochran, *Fritts.

On motion, **Senate Joint Resolution No. 214** was substituted for House Joint Resolution No. 189.

***House Joint Resolution No. 190** -- General Assembly, Confirmation of Appointment - Stephen Powell, Standards Recommendation Committee for Science and Social Studies. by *Lamberth, *Cochran, *Hurt.

On motion, **Senate Joint Resolution No. 215** was substituted for House Joint Resolution No. 190.

***House Joint Resolution No. 191** -- General Assembly, Confirmation of Appointment - Ashley Flood, Standards Recommendation Committee for Science and Social Studies. by *Lamberth, *Cochran, *McCalmon.

On motion, **Senate Joint Resolution No. 216** was substituted for House Joint Resolution No. 191.

***House Joint Resolution No. 192** -- General Assembly, Confirmation of Appointment - Linda Moss Mines, Standards Recommendation Committee for Science and Social Studies. by *Lamberth, *Cochran, *Vital, *Martin G.

On motion, **Senate Joint Resolution No. 217** was substituted for House Joint Resolution No. 192.

***House Bill No. 1551** -- Monroe County - Subject to local approval, increases, from nine to 10, the number of county school board members. - Repeals Chapter 117 of the Private Acts of 1963; as amended. by *Russell.

***House Bill No. 1540** -- Milan - Subject to local approval, changes the date for city elections to coincide with federal elections; removes the requirement for the board of aldermen to approve the mayor's appointment of a city recorder; removes the city's authority to operate a hospital. - Amends Chapter 7 of the Private Acts of 1999; as amended. by *Martin B.

***House Bill No. 1549** -- Greeneville - Subject to local approval, rewrites the town charter. - Amends Chapter 563 of the Acts of 1903; as amended. by *Hawk.

On motion, House Bill No. 1549 was made to conform with **Senate Bill No. 1541**; the Senate Bill was substituted for the House Bill.

***House Bill No. 680** -- Local Education Agencies - As introduced, increases, from one-half unit to one unit, the amount of elective credit a student may receive for completing a released time course if the student's local board of education has adopted a policy to allow credit to be awarded to students for work completed in a released time course. - Amends TCA Section 49-2-130. by *Powers.

On motion, House Bill No. 680 was made to conform with **Senate Bill No. 987**; the Senate Bill was substituted for the House Bill.

House Bill No. 536 -- Tennessee Fish & Wildlife Commission - As introduced, adds to qualifications for appointment to the commission that commissioners be well informed on boating operation, regulation, and safety. - Amends TCA Title 69, Chapter 9, Part 2 and Title 70, Chapter 1, Part 2. by *Cochran.

On motion, House Bill No. 536 was made to conform with **Senate Bill No. 549**; the Senate Bill was substituted for the House Bill.

***House Bill No. 410** -- Traffic Safety - As introduced, authorizes the legislative body of a municipality to establish the fine for speeding within a residential zone within its jurisdictional boundaries at \$200. - Amends TCA Title 5; Title 6; Title 7 and Title 55, Chapter 8. by *Johnson C, *Davis.

On motion, House Bill No. 410 was made to conform with **Senate Bill No. 505**; the Senate Bill was substituted for the House Bill.

***House Bill No. 491** -- Regional Authorities and Special Districts - As introduced, expands the types of projects that may be funded under the Tourism Development Authority Act; clarifies the sources of revenue to fund such projects; excludes ad valorem real property taxes from such sources of revenue that are available to fund projects under the Act. - Amends TCA Title 7, Chapter 69. by *Johnson C, *Hemmer.

On motion, House Bill No. 491 was made to conform with **Senate Bill No. 555**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 305** -- General Assembly, Confirmation of Appointment - J. Gregory Davenport, Fish and Wildlife Commission. by *Sexton, *McCalmon, *Marsh.

On motion, **Senate Joint Resolution No. 267** was substituted for House Joint Resolution No. 305.

***House Joint Resolution No. 119** -- General Assembly, Statement of Intent or Position - Encourages the State of Tennessee to develop an energy production plan in an effort to become an energy exporter. by *Fritts, *Vital, *Doggett.

House Bill No. 1430 -- Industrial Development - As introduced, removes the requirement that members of the board of directors for an industrial development corporation be qualified electors of and taxpayers in the county or city that created the corporation. - Amends TCA Title 7, Chapter 53. by *Hicks G.

On motion, House Bill No. 1430 was made to conform with **Senate Bill No. 926**; the Senate Bill was substituted for the House Bill.

House Bill No. 763 -- County Clerks - As introduced, removes certain duties of county clerks regarding revenue. - Amends TCA Section 18-6-105. by *Eldridge.

House Bill No. 713 -- Motor Vehicles, Titling and Registration - As introduced, authorizes issuance of a license plate in the emergency category to emergency communication dispatchers. - Amends TCA Title 55, Chapter 4. by *Capley, *Lamberth, *Doggett, *Burkhart.

On motion, House Bill No. 713 was made to conform with **Senate Bill No. 366**; the Senate Bill was substituted for the House Bill.

***House Bill No. 644** -- Education - As introduced, replaces Financial Literacy Week, the first full week of April, with Financial Literacy Month, the entire month of April; requires the financial literacy commission to study financial literacy education efforts and report to the general assembly by December 31, 2023. - Amends TCA Title 15, Chapter 2 and Title 49. by *Baum.

House Bill No. 675 -- Motor Vehicles, Titling and Registration - As introduced, increases from 24 months to 36 months the period for which vehicle registrations by businesses that register at least 15,000 vehicles annually and that are engaged in the rental of motor vehicles, trucks, and trailers may be issued; specifies that the fees must be in an amount to offset the revenue that would otherwise be generated by 12-month registration fees. - Amends TCA Section 55-4-104. by *Whitson, *Lamberth, *Hazlewood.

On motion, House Bill No. 675 was made to conform with **Senate Bill No. 212**; the Senate Bill was substituted for the House Bill.

House Bill No. 1193 -- Criminal Offenses - As introduced, broadens the offense of desecration of a venerable object by changing the culpable mental state from intentionally to recklessly or knowingly desecrating a place of worship or burial or a state or national flag. - Amends TCA Title 39, Chapter 17. by *Williams, *Love, *Moody.

House Bill No. 729 -- Audiologists and Speech Pathologists - As introduced, clarifies the emergency medical backup requirement for speech language pathologists using endoscopes so that the procedure may be performed when a physician is on the premises or is remotely available regardless of whether the procedure is performed in a community or institutional setting. - Amends TCA Title 63, Chapter 17, Part 1. by *Hulsey.

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On motion, House Bill No. 729 was made to conform with **Senate Bill No. 701**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 299** -- General Assembly, Confirmation of Appointment - Rhonda Wright Moody, Fish and Wildlife Commission. by *Lamberth, *Cochran, *Darby.

On motion, **Senate Joint Resolution No. 269** was substituted for House Joint Resolution No. 299.

***House Joint Resolution No. 300** -- General Assembly, Confirmation of Appointment - Bradford D. Box, Fish and Wildlife Commission. by *Lamberth, *Cochran, *Todd, *Marsh, *Hawk.

On motion, **Senate Joint Resolution No. 268** was substituted for House Joint Resolution No. 300.

***House Bill No. 258** -- Education - As introduced, changes, from the state board of education to local boards of education, the entity responsible for requiring certain examinations of school bus drivers, for requiring certain reports, and for revoking the certificates of school bus drivers found to be unfit; expands the types of convictions for which a school bus driver's certificate must be revoked; revises various provisions to change, from the state board of education to the department of safety, the entity responsible for adopting specifications for school buses. - Amends TCA Title 49, Chapter 6, Part 21. by *Moody.

On motion, House Bill No. 258 was made to conform with **Senate Bill No. 579**; the Senate Bill was substituted for the House Bill.

House Bill No. 588 -- Local Education Agencies - As introduced, specifies that an LEA that has established a virtual school to enter into an agreement with an LEA that has not established a virtual school for the LEA's virtual school to provide remote instruction to students enrolled in either LEA who have been suspended or expelled from the regular school program. - Amends TCA Title 49, Chapter 6. by *Gant, *White.

On motion, House Bill No. 588 was made to conform with **Senate Bill No. 225**; the Senate Bill was substituted for the House Bill.

House Resolution No. 37 -- Memorials, Recognition - Liam Alexander, Governor's Volunteer Stars Award. by *Lamberth.

House Resolution No. 38 -- Memorials, Recognition - David Moomy, Governor's Volunteer Stars Award. by *Lamberth.

House Resolution No. 39 -- Memorials, Death - John Bruce Brackin. by *Richey.

House Resolution No. 40 -- Memorials, Death - Cyrus David Gallagher. by *Richey.

***House Joint Resolution No. 425** -- Memorials, Professional Achievement - Bill Shedden, Pioneer Award, Tennessee School Plant Management Association. by *Hicks G.

***House Joint Resolution No. 426** -- Memorials, Death - LaSanta Daneen Walker. by *Chism.

***House Joint Resolution No. 427** -- Memorials, Recognition - Charles Kimbrough. by *Jones, *McKenzie, *Hakeem, *Harris, *Chism, *Parkinson, *Shaw, *Miller, *Towns, *Hardaway, *Dixie, *Love, *Camper, *Glynn.

***House Joint Resolution No. 428** -- Memorials, Recognition - Albert Bender. by *Jones.

***House Joint Resolution No. 429** -- Memorials, Sports - Bradley Central High School girls' basketball team, TSSAA Division I, Class 4A state champions. by *Howell, *Raper.

***House Joint Resolution No. 430** -- Memorials, Retirement - Police Chief Randall Brackins, Gatlinburg Police Department. by *Hemmer, *Carr, *Farmer, *Mitchell.

***House Joint Resolution No. 431** -- Memorials, Recognition - Glen and Sharon Meadows, Wally's Restaurant. by *Helton-Haynes, *Hakeem, *Vital, *Martin G, *Hazlewood.

***House Joint Resolution No. 432** -- Memorials, Academic Achievement - Lulie Thomas, Valedictorian, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 433** -- Memorials, Academic Achievement - Gracie Felty, Salutatorian, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 434** -- Memorials, Academic Achievement - William Matthew Holden, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 435** -- Memorials, Academic Achievement - Audrey Kittrell, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 436** -- Memorials, Academic Achievement - Kaydence Barnett, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 437** -- Memorials, Academic Achievement - Katie Hill, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 438** -- Memorials, Academic Achievement - Andrew Hay, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 439** -- Memorials, Academic Achievement - Mia Lindsey, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 440** -- Memorials, Academic Achievement - Brilee Norman, Top Ten Senior, Mt. Pleasant High School. by *Capley.

***House Joint Resolution No. 441** -- Memorials, Academic Achievement - Emariyana Rogers, Top Ten Senior, Mt. Pleasant High School. by *Capley.

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***House Joint Resolution No. 442** -- Memorials, Academic Achievement - Anna Katherine "Katie" Harris, Valedictorian, Collinwood High School. by *Capley.

***House Joint Resolution No. 443** -- Memorials, Academic Achievement - Logan Alexander Thompson, Salutatorian, Collinwood High School. by *Capley.

***House Joint Resolution No. 444** -- Memorials, Academic Achievement - Jesse Dylan Daniel, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 445** -- Memorials, Academic Achievement - Analise Hope Arrington, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 446** -- Memorials, Academic Achievement - Adaline Grace "Addie" Quillen, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 447** -- Memorials, Academic Achievement - Alyssa Raelynn Gray, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 448** -- Memorials, Academic Achievement - Lucinda Jeanette Butler, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 449** -- Memorials, Academic Achievement - Rachel Lillian Gross, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 450** -- Memorials, Academic Achievement - Josie Emma-Lynn Pigg, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 451** -- Memorials, Academic Achievement - Noah Steven Taylor Haddock, Top Ten Senior, Collinwood High School. by *Capley.

***House Joint Resolution No. 452** -- Memorials, Recognition - Mary Crowe and Lavita Hill. by *Jones.

***House Joint Resolution No. 453** -- Memorials, Death - Don Laws. by *Capley, *Doggett.

***House Joint Resolution No. 454** -- Memorials, Academic Achievement - Alexis LaDuc, Salutatorian, Cannon County High School. by *Hale, *Boyd.

***House Joint Resolution No. 455** -- Memorials, Academic Achievement - Ethan Powell, Valedictorian, Cannon County High School. by *Hale, *Boyd.

***House Joint Resolution No. 456** -- Memorials, Death - Dr. Ted Lawrence Flickinger. by *Moon, *Richey.

***House Joint Resolution No. 457** -- Memorials, Retirement - Mary Frances Hixson. by *Travis.

***House Joint Resolution No. 459** -- Memorials, Recognition - Sam Raimi. by *Terry.

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***House Joint Resolution No. 460** -- Memorials, Retirement - Major General Jeffrey H. Holmes, Tennessee National Guard. by *Terry, *Rudd, *Reedy.

***House Joint Resolution No. 461** -- Memorials, Recognition - the late Michael Lee Aday. by *Terry.

***House Joint Resolution No. 462** -- Memorials, Recognition - Champion Recovery Community. by *Rudder.

***House Joint Resolution No. 463** -- Memorials, Recognition - Anna Claire Christy, Governor's Volunteer Stars Award. by *Littleton.

***House Joint Resolution No. 464** -- Memorials, Recognition - Marjorie "Cricket" Allen, Governor's Volunteer Stars Award. by *Littleton.

***House Joint Resolution No. 465** -- Memorials, Recognition - Reverend Dr. J. Lawrence Turner. by *Hardaway.

***Senate Joint Resolution No. 299** -- Memorials, Professional Achievement - Michael Hubbard, Kingsport City Schools Supervisor of the Year. by *Lundberg.

***Senate Joint Resolution No. 300** -- Memorials, Professional Achievement - Dr. Stacy Edwards, Kingsport City Schools District Principal of the Year. by *Lundberg.

***Senate Joint Resolution No. 301** -- Memorials, Professional Achievement - Marie Taylor, Kingsport City Schools District Grades Pre-K-4 Teacher of the Year. by *Lundberg.

***Senate Joint Resolution No. 302** -- Memorials, Professional Achievement - Kathleen Donnellan, Kingsport City Schools District Teacher of the Year Grades 5-8. by *Lundberg.

***Senate Joint Resolution No. 303** -- Memorials, Professional Achievement - Regina Davenport, Kingsport City Schools District Teacher of the Year Grades 9-12. by *Lundberg, *Watson.

***Senate Joint Resolution No. 304** -- Memorials, Recognition - Frank Lannom. by *Pody.

***Senate Joint Resolution No. 306** -- Memorials, Academic Achievement - Annabelle Lockridge, Valedictorian, Chester County High School. by *Walley.

***Senate Joint Resolution No. 307** -- Memorials, Academic Achievement - Jacelyn Haskins, Salutatorian, Chester County High School. by *Walley.

***Senate Joint Resolution No. 308** -- Memorials, Sports - Bolivar Central High School boys' basketball team, district championship. by *Walley.

***Senate Joint Resolution No. 309** -- Memorials, Personal Achievement - Xavier Thomas Burval, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 310** -- Memorials, Sports - Rossville Christian Academy girls' basketball team. by *Walley.

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***Senate Joint Resolution No. 311** -- Memorials, Sports - Rossville Christian Academy boys' basketball team. by *Walley.

***Senate Joint Resolution No. 312** -- Memorials, Recognition - Janae Edmondson. by *Reeves, *Lamar, *White.

***Senate Joint Resolution No. 313** -- Memorials, Death - Arzo Carson. by *Yager, *McNally, *Massey, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yarbro.

***Senate Joint Resolution No. 314** -- Memorials, Recognition - Gaye Lynn Wilson. by *Pody.

***Senate Joint Resolution No. 315** -- Memorials, Death - Aleya Brooks. by *Haile.

***Senate Joint Resolution No. 316** -- Memorials, Retirement - Natalie Knudsen. by *Haile.

***Senate Joint Resolution No. 317** -- Memorials, Personal Achievement - Nathan Gafney, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 318** -- Memorials, Personal Achievement - Hayden Baker, Eagle Scout. by *Haile.

***Senate Joint Resolution No. 319** -- Memorials, Sports - Knoxville Catholic High School Lady Irish basketball team, TSSAA Division II-AA State Champions. by *McNally, *Massey, *Briggs.

OBJECTION--CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

House Joint Resolution No. 99: by Rep. Clemmons

House Joint Resolution No. 427: by Rep. Faison

Under the rules, House Joint Resolution Nos. 99 and 427 were placed at the heel of the calendar for March 23, 2023.

Rep. Hardaway moved that all members voting aye on House Joint Resolution No. 465 be added as co-prime sponsors with all members of the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Todd and Ragan.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House

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Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 384** -- Wine & Wineries - As introduced, authorizes wineries, farm wineries, and manufacturers of alcoholic beverages to distill and fortify wine and blend the distilled or fortified wine with their products. - Amends TCA Title 57, Chapter 3. by *Moon, *Carr. (SB988 by *Yager)

On motion, House Bill No. 384 was made to conform with **Senate Bill No. 988**; the Senate Bill was substituted for the House Bill.

Rep. Moon moved that Senate Bill No. 988 be passed on third and final consideration.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Moon moved that **Senate Bill No. 988** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 84
Noes..... 7
Present and not voting..... 4

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Chism, Clemmons, Cochran,

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Crawford, Davis, Dixie, Eldridge, Faison, Farmer, Freeman, Fritts, Garrett, Gillespie, Glynn, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Marsh, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Ragan, Raper, Reedy, Rudder, Russell, Shaw, Sherrell, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Mr. Speaker Sexton--84

Representatives voting no were: Cepicky, Doggett, Grills, Lynn, Moody, Rudd, Zachary--
7

Representatives present and not voting were: Gant, Haston, Powers, Slater--4

A motion to reconsider was tabled.

***House Bill No. 884** -- Pensions and Retirement Benefits - As introduced, revises the methods by which a local government employer wishing to participate in TCRS must pay the estimated increased pension liability created by a benefit improvement; requires the state to pay the estimated increased pension liability resulting from a benefit improvement affecting general employees or employees at institutions of higher education participating in the retirement system by amortizing the unfunded accrued liability over a period of time not to exceed 10 years from the date that the benefit improvement is established. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by *Moon. (SB990 by *Yager)

On motion, House Bill No. 884 was made to conform with **Senate Bill No. 990**; the Senate Bill was substituted for the House Bill.

Rep. Moon moved that Senate Bill No. 990 be passed on third and final consideration.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Moon moved that **Senate Bill No. 990** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

House Bill No. 316 -- Financial Institutions, Dept. of - As introduced, enacts the "Money Transmission Modernization Act". - Amends TCA Title 45. by *Lamberth, *Cochran, *Bricken. (*SB268 by *Johnson)

Rep. Lamberth requested that House Bill No. 316 be moved to the heel of the Regular Calendar, which motion prevailed.

***House Bill No. 853** -- Real Property - As introduced, requires that plane coordinate values for a point on the Earth's surface, used to express the geographic position or location of the point, be expressed in international feet instead of United States survey feet. - Amends TCA Section 66-6-102. by *Leatherwood. (SB928 by *Taylor)

On motion, House Bill No. 853 was made to conform with **Senate Bill No. 928**; the Senate Bill was substituted for the House Bill.

Rep. Leatherwood moved that Senate Bill No. 928 be passed on third and final consideration.

Rep. Crawford moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Leatherwood moved that **Senate Bill No. 928** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 854** -- Adoption - As introduced, allows a court to waive or reduce the six-month waiting period after the filing of a petition for adoption under certain circumstances; extends from 45 days to 60 days the time period after birth or surrender or parental consent during which

an interested party may pay for certain reasonable, actual expenses of the birth mother; makes various other changes related to adoption and termination of parental rights proceedings. - Amends TCA Title 36, Chapter 1. by *Leatherwood, *Sherrell, *Slater, *Littleton. (SB919 by *Rose)

Rep. Leatherwood moved that House Bill No. 854 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 854 by deleting all language following the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 36-1-119(c), is amended by redesignating the current language as subdivision (c)(1) and adding the following new subdivisions:

(2) If the child is three (3) years of age or less at the time the petition is filed, the court has received the final court report concerning the circumstances of the child and the petitioners, and is satisfied that the adoption will be in the best interest of the child, then the court may reduce the six-month waiting period after the filing of the adoption petition to a three-month period and may enter an order of adoption.

(3) If the child is within six (6) months of turning eighteen (18) years of age at the time of the final hearing of adoption, the court has received the final court report concerning the circumstances of the child and the petitioners, and is satisfied that the adoption will be in the best interest of the child, then the court may waive the six-month waiting period after the filing of the adoption petition and may enter an order of adoption.

SECTION 2. Tennessee Code Annotated, Section 36-1-113, is amended by deleting subsection (k) and substituting:

(k) The court shall ensure that the hearing on the petition takes place within six (6) months of the date that the petition is filed, unless the court determines an extension is in the best interest of the child. The court shall provide a ruling on the petition within thirty (30) days of the conclusion of the hearing and shall enter an order that makes specific findings of fact and conclusions of law within thirty (30) days of the ruling. If an order has not been entered within thirty (30) days from the court's ruling, then the petitioner or respondent has grounds to request that the court of appeals grant an order expediting entry of the order.

SECTION 3. Tennessee Code Annotated, Section 36-1-117, is amended by deleting subdivision (c)(3) in its entirety.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Leatherwood moved that **House Bill No. 854**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 855** -- Adoption - As introduced, changes the time period during which the Tennessee putative father registry must have been consulted prior to the filing of a petition to terminate parental rights from 10 days to 10 working days; requires the appointment of a guardian ad litem in an adoption involving a mentally disabled child when the child is 14 years of age or older at any time before the granting of the petition rather than at any age. - Amends TCA Title 36 and Title 37. by *Leatherwood, *Sherrell, *Slater, *Littleton. (SB921 by *Rose)

Rep. Leatherwood moved that **House Bill No. 855** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater,

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Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 548** -- Criminal Offenses - As introduced, creates a Class A misdemeanor offense for the possession of a device, tool, machine, implement, or other item capable of programming a smart key or key fob with the intent to use it or allow it to be used to commit theft. - Amends TCA Title 39, Chapter 14, Part 1 and Title 39, Chapter 14, Part 7. by *Harris, *Towns, *Fritts, *Russell, *Camper. (SB570 by *Lamar, *Campbell)

Rep. Harris moved that **House Bill No. 548** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--93

A motion to reconsider was tabled.

***House Bill No. 71** -- Public Contracts - As introduced, prohibits a party from protesting a solicitation for a public contract if the party cancels the solicitation; revises bonding requirements for submitting a protest or an appeal of a decision to a protest to the chief procurement officer or protest committee; establishes certain restrictions on the contractual terms of public contracts. - Amends TCA Title 12, Chapter 3, Part 5. by *Lamberth, *Cochran, *Hicks G. (SB252 by *Johnson, *Stevens)

On motion, House Bill No. 71 was made to conform with **Senate Bill No. 252**; the Senate Bill was substituted for the House Bill.

Rep. G. Hicks moved that **Senate Bill No. 252** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	8

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T,

939

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Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--89

Representatives voting no were: Clemmons, Freeman, Hardaway, Harris, Johnson G, Miller, Thompson, Towns--8

A motion to reconsider was tabled.

***House Bill No. 736** -- Education - As introduced, changes from urges to requires the standards recommendation committee to include certain academic standards regarding the civil rights movement in the committee's final recommendation of academic standards in the subject of social studies for students in grades nine through 12. - Amends TCA Title 49. by *Love, *Clemmons, *Dixie, *Camper, *White, *Lafferty. (SB872 by *Akbari, *Campbell, *Lamar, *Yarbro)

On motion, House Bill No. 736 was made to conform with **Senate Bill No. 872**; the Senate Bill was substituted for the House Bill.

Rep. Love moved that **Senate Bill No. 872** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

***House Bill No. 554** -- District Attorneys - As introduced, requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children; requires the Tennessee bureau of investigation to provide annual training to assistant district attorneys designated as lead prosecutors in crimes committed against children. - Amends TCA Title 8, Chapter 7; Title 16, Chapter 2 and Title 38, Chapter 6. by *Littleton, *Russell, *Howell, *White, *Clemmons. (SB654 by *Jackson)

Rep. Littleton moved that House Bill No. 554 be passed on third and final consideration.

Rep. Hulseby moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 554 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) Each district attorney general shall designate at least one (1) person currently employed within the judicial district as an assistant district attorney general as the lead prosecuting attorney for the judicial district in cases involving crimes committed against children.

(b) The district attorney general for each judicial district shall designate an assistant district attorney general, or other staff members as may be appropriate, to attend annual training on the investigation of crimes against children provided by the Tennessee bureau of investigation and the Tennessee district attorneys general conference.

SECTION 2. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) The Tennessee bureau of investigation, the Tennessee district attorneys general conference, and other relevant parties at the request of the district attorneys general conference shall work in conjunction to implement a course or courses of instruction, composed of live instruction, telecommunication, video, or other medium, or any combination of methods, for the annual training of assistant district attorneys general and other staff members in the prosecution of crimes committed against children.

(b) The course or courses of instruction must emphasize:

(1) The dynamics of investigating crimes committed against children;

(2) Appropriate investigative and communication techniques for crimes committed against children; and

(3) Protection of victims.

SECTION 3. This act is not an appropriation of funds, and funds must not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

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Rep. Littleton moved that **House Bill No. 554**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 426** -- Education, Dept. of - As introduced, requires the commissioner to report the average student performance level rating achieved in each subject tested on the most recently administered Tennessee comprehensive assessment program test and on the most recently administered assessment for purposes of the National Assessment of Educational Progress, along with the median household income for each county in which each LEA or public charter school is located, to the education committee of the senate and the education administration committee of the house of representatives. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 6. by *Parkinson, *Camper. (SB508 by *Oliver, *Campbell)

Rep. Parkinson moved that House Bill No. 426 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 426 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-1-211, is amended by adding the following as a new subsection:

(c) The commissioner shall report the percentage of students scoring at each performance level at each school within an LEA and at each public charter school in each subject tested on the most recently administered TCAP test along with the median household income of each zip code within the geographic boundaries of the respective school zone to the education committee of the senate and the education administration committee of the house of representatives no later than December 1 of each year. The department of economic and community development shall provide the department of education with the median household

income of each zip code in this state. The information reported pursuant to this subsection (c) must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g); § 10-7-504; the Data Accessibility, Transparency, and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Parkinson moved that **House Bill No. 426**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--92

Representatives voting no were: Todd--1

Representatives present and not voting were: Powers--1

A motion to reconsider was tabled.

House Bill No. 988 -- Landlord and Tenant - As introduced, requires a landlord to provide a tenant with 90 days' notice of termination of tenancy for the purpose of eviction of a residential tenant if the tenant is 62 years of age or older, has paid the tenant's due rent and is not in arrears, and the termination and eviction are to allow for new property development. - Amends TCA Title 29 and Title 66. by *Beck, *Hardaway, *Camper, *Clemmons, *Jernigan, *Alexander. (*SB717 by *Oliver)

Rep. Beck moved that House Bill No. 988 be passed on third and final consideration.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 988 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 66-7-109, is amended by adding the following as a new subsection:

(i)

(1) As used in this subsection (i):

(A) "Facility" means a facility that:

(i) Provides housing for older persons, as defined in 42 U.S.C. § 3607(b)(2)(C); and

(ii) Receives federal financial assistance that subjects it to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. § 794);

(B) "New property development" means:

(i) Razing a facility to use the real property on which the facility is located for purposes other than to provide housing for older persons, as defined in 42 U.S.C. § 3607(b)(2)(C); or

(ii) Renovating a facility in a manner that requires the tenants of the facility to vacate the facility in order to turn the facility into residential housing offered at a market rate; and

(C) "Residential tenant" means a residential tenant who has a lease or other agreement to live in a facility and who is fifty-five (55) years of age or older.

(2) A landlord shall provide ninety (90) days' notice of termination of tenancy for the purpose of eviction of a residential tenant of a facility if:

(A) The tenant has paid the tenant's rent due and is not in arrears on rent payments; and

(B) The termination and eviction are to allow for new property development.

(3) This subsection (i) does not abrogate a landlord's right to terminate a tenancy for a violation of another law or of the lease or tenancy agreement.

SECTION 2. Tennessee Code Annotated, Title 66, Chapter 28, Part 5, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Facility" means a facility that:

(A) Provides housing for older persons, as defined in 42 U.S.C. § 3607(b)(2)(C); and

(B) Receives federal financial assistance that subjects it to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. § 794);

(2) "New property development" means:

(i) Razing a facility to use the real property on which the facility is located for purposes other than to provide housing for older persons, as defined in 42 U.S.C. § 3607(b)(2)(C); or

(ii) Renovating a facility in a manner that requires the tenants of the facility to vacate the facility in order to turn the facility into residential housing offered at a market rate; and

(3) "Residential tenant" means a residential tenant who has a lease or other agreement to live in a facility and who is fifty-five (55) years of age or older.

(b) A landlord shall provide ninety (90) days' notice of termination of tenancy for the purpose of eviction of a residential tenant of a facility if:

(1) The tenant has paid the tenant's rent due and is not in arrears on rent payments; and

(2) The termination and eviction are to allow for new property development.

(c) This section does not abrogate a landlord's right to terminate a tenancy for a violation of another law or of the lease or tenancy agreement.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to agreements entered into, amended, or renewed on or after that date.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Beck moved that **House Bill No. 988**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Alexander, Barrett, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-

Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

House Bill No. 985 -- Civil Procedure - As introduced, permits the use of a person's full social security number; taxpayer identification number; birth date; name, if the person is a minor; or financial account number in court filings regarding parenting plans. - Amends TCA Title 20, Chapter 6. by *Beck, *Camper, *Jernigan. (*SB618 by *Yarbro, *Akbari)

On motion, House Bill No. 985 was made to conform with **Senate Bill No. 618**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that **Senate Bill No. 618** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 407** -- Boats, Boating - As introduced, changes frequency with which operators of commercial nonmotorized vessel rental operations must report data required by TWRA from three times a year to once a year; clarifies scope of fish and wildlife commission's regulatory authority over such operators; makes other changes concerning such operations. - Amends TCA Title 10, Chapter 7; Title 11; Title 69, Chapter 9 and Title 70. by *Reedy, *Faison. (SB639 by *Niceley)

Rep. Reedy moved that House Bill No. 407 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 407 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 69-9-227(a), is amended by adding the following subdivision:

() "In the aggregate" means the number of nonmotorized vessels by type rented in each water body;

SECTION 2. Tennessee Code Annotated, Section 69-9-227(b)(1), is amended by deleting the subdivision and substituting the following:

(1) The commission is authorized to establish rules, permits, and procedures regulating commercial operations that:

(A) Lease or rent nonmotorized vessels for noncommercial use by the public on the waters of Tennessee; and

(B) Utilize vessel launches or ramps, or other property, owned or managed by the agency.

SECTION 3. Tennessee Code Annotated, Section 69-9-227(b)(2), is amended by deleting the word "or" at the end of subdivision (b)(2)(A), adding the following as a new subdivision (b)(2)(B), and redesignating the existing subdivision (b)(2)(B) accordingly:

(B) Apply to commercial operations permitted by the department of environment and conservation pursuant to a commercial use authorization under § 11-1-118, or other law; or

SECTION 4. Tennessee Code Annotated, Section 69-9-227(c)(2), is amended by deleting the subdivision and substituting:

(2) No later than October 31, 2023, and every October 31 thereafter, an outfitter shall submit an annual report providing the agency-required records for activities that occurred since the last report. An outfitter shall supplement its report by December 30 for activity occurring subsequent to the outfitter's October 31 report. If a report is incomplete and the agency has provided notice that the outfitter has provided incomplete information, the outfitter has thirty (30) days from the date of notification to submit additional information to the agency.

SECTION 5. Tennessee Code Annotated, Section 10-7-504(a), is amended by adding the following as a new subdivision:

(34)

(A) All records provided to the wildlife resources agency pursuant to § 69-9-227(c)(2) by an outfitter who leases or rents nonmotorized vessels for noncommercial use by the public on the waters of Tennessee are confidential and are not to be open for inspection by members of the

public, including, but not limited to, information on the number and type of nonmotorized vessels leased each day and daily ridership data.

(B) Subdivision (a)(34)(A) does not limit:

(i) Access to information made confidential pursuant to subdivision (a)(34)(A):

(a) By law enforcement agencies, courts, or other governmental agencies performing official functions; or

(b) When an outfitter expressly authorizes the release of the information;

(ii) The release of a record made confidential pursuant to subdivision (a)(34)(A) to persons identified within the record, unless the record is subject to a legal privilege against disclosure; or

(iii) The use of a record otherwise made confidential pursuant to subdivision (a)(34)(A) by the wildlife resources agency or fish and wildlife commission, so long as the record is only used in the aggregate in agency reports and records as defined in § 69-9-227(a), including in the administration of authority granted under § 69-9-227(b)(1).

(C) This subdivision (a)(34) is repealed effective July 1, 2028.

SECTION 6. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Reedy moved that **House Bill No. 407**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh,

Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 1086** -- Schools, Charter - As introduced, revises various provisions relative to charter schools. - Amends TCA Title 49, Chapter 13. by *Baum, *White, *Bulso, *Todd. (SB980 by *Gardenhire, *Bowling, *Stevens)

On motion, House Bill No. 1086 was made to conform with **Senate Bill No. 980**; the Senate Bill was substituted for the House Bill.

Rep. Baum moved that Senate Bill No. 980 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 980 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-13-107, is amended by deleting subsection (e) and substituting instead the following:

(e) In reviewing and evaluating a charter application, an authorizer shall, if applicable, consider the performance, including student growth and achievement, of any charter school operated by the sponsor, governing body, or charter management organization.

SECTION 2. Tennessee Code Annotated, Section 49-13-110, is amended by designating subsection (e) as subsection (f) and adding the following as a new subsection (e):

(e) If an LEA's local board of education changes the grade bands for the LEA's elementary schools, middle schools, elementary and secondary schools, or elementary or secondary schools, as those terms are defined in § 49-6-301, then the local board of education shall notify each public charter school authorized by the LEA at least one hundred twenty (120) days before the grade band changes are implemented to allow the public charter school to seek an amendment to the school's charter agreement.

SECTION 3. Tennessee Code Annotated, Section 49-13-113, is amended by deleting subsections (b) and (c) and substituting instead the following:

(b) A charter school authorized by the commission is open to students residing within the geographic boundaries of the LEA in which the charter school is located.

(c)

(1) If a public charter school's authorizer has a policy allowing out-of-district enrollment, then the public charter school may enroll students residing outside the geographic boundaries of the LEA in which the public charter school is located if capacity is available after all eligible in-district students have been enrolled. A public charter school's total enrollment of out-of-district students shall not exceed twenty-five percent (25%) of the public charter school's total enrollment.

(2) State school funds must follow a student into the LEA in which the public charter school is located and to which the student transfers.

(3) Tuition may be charged by the LEA in which the public charter school is located and to which a student transfers, as provided in § 49-6-3003.

(4) If a public charter school's authorizer has a policy that prohibits out-of-district enrollment, then the public charter school may request to adopt an out-of-district enrollment policy through the waiver process outlined in § 49-13-111; provided, however, that the waiver request may only be submitted to the public charter school's authorizer for approval.

SECTION 4. Tennessee Code Annotated, Section 49-13-113(d), is amended by deleting subdivision (5), designating subdivisions (6)-(7) as subdivisions (7)-(8), and adding the following as new subdivisions (5) and (6):

(5)

(A) A public charter school may give enrollment preference to:

(i) "Economically disadvantaged" students, as defined in Tennessee's Every Student Succeeds Act (ESSA) plan established pursuant to the Every Student Succeeds Act (20 U.S.C. § 6301 et seq.);

(ii) Homeless, foster, runaway, or migrant students; or

(iii) Students eligible for free or reduced-price school meals or milk through the direct certification eligibility guidelines established pursuant to 42 U.S.C. §§ 1751-1769.

(B) A public charter school may request information to verify that a student is "economically disadvantaged" on the application submitted pursuant to subdivision (d)(1) for purposes of an enrollment lottery, but shall not require it.

(6) A public charter school may give enrollment preference to children of the public charter school's employees or to the children of a member of the public charter school's governing body, not to exceed ten percent (10%) of the public charter school's total enrollment or twenty-five (25) students, whichever is less.

SECTION 5. Tennessee Code Annotated, Section 49-13-113(d)(4), is amended by designating subdivisions (B)-(E) as subdivisions (C)-(F) and adding the following as a new subdivision (B):

(B) Students who meet the criteria outlined in subdivision (d)(5), if the enrollment preference is used by the public charter school;

SECTION 6. Tennessee Code Annotated, Section 49-13-122, is amended by deleting subsections (b)-(h) and substituting instead the following:

(b) A public charter school agreement may be revoked by the authorizer if the authorizer determines that the school:

(1) Committed a material violation of the conditions, standards, or procedures set forth in the charter agreement;

(2) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter agreement; or

(3) Failed to meet generally accepted standards of fiscal management.

(c)

(1) Each authorizer shall, by August 1, 2023, adopt a progressive intervention policy that outlines the process for charter school intervention if the authorizer determines that a public charter school meets the criteria for revocation under subsection (b), or if the authorizer determines that a public charter school is not complying with this chapter or with the charter agreement.

(2) If an authorizer determines that a public charter school meets the criteria for revocation under subsection (b), or that a public charter school is not complying with this chapter or with the charter agreement, then the authorizer shall promptly notify the public charter school and provide the public charter school the opportunity to remedy the issue within the timeframe established by the authorizer according to the authorizer's progressive intervention policy.

(3) If the public charter school fails to remedy the issue within the timeframe established by the authorizer according to the authorizer's progressive intervention policy, then the authorizer may issue corrective actions short of revocation; provided, that a corrective action shall not include a financial sanction. Corrective actions short of revocation that may

be issued by the authorizer must be outlined in the authorizer's progressive intervention policy.

(4) If the corrective actions fail to remedy the issue, then the authorizer may seek revocation of the charter agreement pursuant to this section.

(5) Each progressive intervention policy must align with the state board of education's quality public charter school authorizing standards adopted pursuant to § 49-13-108(f), and must be reviewed by the state board of education as part of the authorizer quality evaluation required under § 49-13-145.

(d) A charter agreement may be revoked at any time by the authorizer in an emergency situation without the authorizer first having to implement the progressive intervention policy. An emergency situation includes, but is not limited to, instances of fraud; misappropriation of funds; flagrant violation of health and safety laws, rules, and regulations; flagrant disregard of the charter agreement; or similar misconduct.

(e) Thirty (30) days prior to a decision by an authorizer to revoke a charter agreement, the authorizer shall notify the public charter school in writing of the possibility of revocation and the reasons for the possible revocation.

(f) If the authorizer revokes a charter agreement, then the authorizer shall clearly state in writing the reasons for the revocation.

(g) No later than ten (10) days after an authorizer adopts a resolution to revoke a charter agreement, the authorizer shall report the authorizer's decision to the department of education and shall provide a copy of the resolution that sets forth the authorizer's decision and the reasons for the decision.

(h)

(1) A decision to revoke a charter agreement may be appealed to the commission no later than ten (10) days after the date of the decision, except for revocations based on the violations specified in subsection (a). No later than sixty (60) days after the commission receives a notice of appeal and after the commission provides reasonable public notice, the commission shall hold an open meeting in the LEA in which the public charter school has been operating to conduct a de novo on the record review of the local board of education's decision. In order to overturn a local board of education's decision to revoke a charter agreement, the commission must find that the decision was contrary to this section. If the commission overturns the local board of education's decision to revoke a charter agreement, then the commission shall remand the decision to the local board of education and the local board of education shall remain the authorizer. The commission's decision is final and is not subject to appeal.

(2) This subsection (h) only applies to decisions to revoke a charter agreement for which the local board of education is the authorizer.

(i) Except in an emergency situation, as described in subsection (d), a decision to revoke a charter agreement becomes effective at the close of the school year.

SECTION 7. Tennessee Code Annotated, Section 49-13-132, is amended by deleting the language "ages, addresses, dates of attendance," and substituting "ages, addresses, electronic mail addresses, telephone listings, the most recent school attended, dates of attendance,".

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Baum moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 980 by deleting Section 4 and substituting:

SECTION 4. Tennessee Code Annotated, Section 49-13-113(d), is amended by deleting subdivision (5), designating subdivisions (6)-(7) as subdivisions (7)-(8), and adding the following as new subdivisions (5) and (6):

(5) A public charter school may give an enrollment preference to students who are economically disadvantaged, as defined in § 49-3-104. A public charter school may request information to verify that a student is economically disadvantaged on the application submitted pursuant to subdivision (d)(1) for purposes of an enrollment lottery, but shall not require it. Only students who legally qualify may be given an enrollment preference pursuant to this subdivision (d)(5).

(6) A public charter school may give an enrollment preference to children of the public charter school's employees or to the children of a member of the public charter school's governing body, not to exceed ten percent (10%) of the public charter school's total enrollment or twenty-five (25) students, whichever is less.

AND FURTHER AMEND by deleting "Students who meet the criteria outlined in subdivision (d)(5)" in the amendatory language in Section 5 and substituting "Students who are economically disadvantaged as provided in subdivision (d)(5)".

On motion, House Amendment No. 2 was adopted by the following vote:

Ayes	70
Noes.....	19
Present and not voting.....	6

MONDAY, MARCH 20, 2023 – SIXTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Carr, Carringer, Cepicky, Cochran, Davis, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks T, Howell, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--70

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Glynn, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson, Towns--19

Representatives present and not voting were: Capley, Crawford, Doggett, Hicks G, Holsclaw, Travis--6

Rep. Baum moved that **Senate Bill No. 980**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes.....	20
Present and not voting.....	6

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Carr, Carringer, Cepicky, Chism, Cochran, Davis, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks T, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--70

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Freeman, Glynn, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Thompson, Towns--20

Representatives present and not voting were: Capley, Crawford, Doggett, Hicks G, Holsclaw, Travis--6

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on House Amendment No. 2 of **Senate Bill No. 980** and have this statement entered in the Journal: Rep. Camper.

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "no" to "aye" on **Senate Bill No. 980** and have this statement entered in the Journal: Reps. Parkinson and Hardaway.

REGULAR CALENDAR, CONTINUED

House Bill No. 1536 -- School Districts, Special - Pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$20 million and to authorize the issuance of tax anticipation notes from time to time. - Amends Chapter 563 of the Private Acts of 1949. by *Whitson, *McCalmon, *Jernigan, *White. (*SB1513 by *Johnson)

Rep. Whitson moved that **House Bill No. 1536** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1536** and have this statement entered in the Journal: Rep. Kumar.

REGULAR CALENDAR, CONTINUED

955

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Bill No. 1195 -- Therapists, Physical and Occupational - As introduced, allows the practice of physical therapy to be under the written or oral referral of a nurse practitioner or physician assistant; removes certain minimum education requirements to engage in the independent practice of physical therapy. - Amends TCA Title 63. by *Williams, *Sherrell, *Doggett. (*SB72 by *Watson)

On motion, House Bill No. 1195 was made to conform with **Senate Bill No. 72**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that **Senate Bill No. 72** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 1198** -- Alcohol Offenses, Motor Vehicles - As introduced, creates an offense of knowingly providing a motor vehicle to another person who the provider of the vehicle knows or should know is under the influence of an intoxicant or whose driver license has been suspended or revoked under certain circumstances, punishable as a Class A misdemeanor. - Amends TCA Title 39 and Title 55, Chapter 10. by *Williams, *Hardaway, *Gant, *Haston, *Hicks G, *Sherrell, *Slater, *Doggett, *White, *Littleton, *Alexander. (SB1318 by *Bailey)

Rep. Williams moved that **House Bill No. 1198** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson,

Powell, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

JOURNAL CORRECTION

The Speaker announced that **House Bill No. 1536** passed the House on third and final consideration.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 444 -- Alcoholic Beverages - As introduced, authorizes the city of Moscow and other municipalities with a population between 570 and 699 persons that employ a full-time police department to hold a referendum on the question of whether to authorize package stores and liquor-by-the-drink in their respective jurisdictions. - Amends TCA Title 57. by *Shaw. (*SB184 by *Walley)

On motion, House Bill No. 444 was made to conform with **Senate Bill No. 184**; the Senate Bill was substituted for the House Bill.

Rep. Shaw moved that Senate Bill No. 184 be passed on third and final consideration.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Shaw moved that **Senate Bill No. 184** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	13
Present and not voting.....	4

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Camper, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Faison, Farmer, Freeman, Garrett, Gillespie, Glynn, Hakeem, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Whitson, Williams, Wright, Mr. Speaker Sexton--76

Representatives voting no were: Capley, Carr, Cepicky, Doggett, Grills, Haston, Lynn, Moody, Rudd, Sherrell, Slater, White, Zachary--13

Representatives present and not voting were: Barrett, Fritts, Gant, Hale--4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 184** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1309** -- DNA and Genetic Testing - As introduced, prohibits a life insurance provider from canceling a life insurance policy based on genetic information, from requesting or requiring genetic testing as a condition of insurability, and from accessing the genetic data of an individual without consent. - Amends TCA Title 56, Chapter 7, Part 27. by *Kumar, *Lamberth, *Towns, *Hardaway, *Moody. (SB1294 by *Bailey)

Rep. Kumar moved that **House Bill No. 1309** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 1

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

Representatives voting no were: Richey--1

A motion to reconsider was tabled.

House Bill No. 1313 -- Health Care - As introduced, requires the department of health to make its annual report concerning the Tennessee nurse home visitor program to the general assembly by February 1 of each year and in an electronic format. - Amends TCA Title 4 and Title 68, Chapter 1. by *Kumar, *Hawk. (*SB614 by *Briggs, *Crowe, *Reeves)

MONDAY, MARCH 20, 2023 – SIXTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 1313 was made to conform with **Senate Bill No. 614**; the Senate Bill was substituted for the House Bill.

Rep. Kumar moved that Senate Bill No. 614 be passed on third and final consideration.

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kumar moved that **Senate Bill No. 614** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

House Bill No. 1492 -- Criminal Offenses - As introduced, specifies that a person aggrieved by the use of a drone in violation of the law may recover court costs in a civil action in addition to injunctive relief, destruction of the evidence, information or other data obtained, damages, and reasonable attorney fees. - Amends TCA Title 38; Title 39; Title 40; Title 70, Chapter 4, Part 3 and Chapter 462 of the Private Acts of 2021. by *Clemmons, *Faison, *Towns, *Camper, *Williams, *Grills, *Cochran, *Hicks T. (*SB1019 by *Campbell)

Rep. Clemmons moved that House Bill No. 1492 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1492 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Drone" has the same meaning as defined in § 39-13-609; and

(2) "Law enforcement agency" has the same meaning as defined in § 39-13-609.

(b) By January 1, 2024, except as provided in subsection (c), each law enforcement agency shall develop and enforce a policy that prohibits an officer from using a drone or other substantially similar device as a weapon under any circumstances while in the exercise of the officer's official duties.

(c) A law enforcement agency shall permit an officer qualified to operate a drone to utilize a drone or a substantially similar device for the purpose of remotely detonating a bomb or similar incendiary or explosive device.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Richey moved the previous question, which motion prevailed.

Rep. Clemmons moved that **House Bill No. 1492**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	3

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Gillespie, Glynn, Grills, Hakeem, Hale, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Powers, Ragan, Raper, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--89

Representatives voting no were: Garrett, Hardaway, Kumar--3

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "no" to "aye" on **House Bill No. 1492** and have this statement entered in the Journal: Reps. Garrett and Hardaway.

REGULAR CALENDAR, CONTINUED

House Bill No. 633 -- Consumer Protection - As introduced, prohibits an individual or entity from selling, offering for sale, or providing an air ambulance membership agreement to an individual who is enrolled in TennCare; requires an individual or entity that provides an air ambulance membership agreement to an individual who subsequently enrolls in TennCare to provide the enrollee with a pro-rated refund of consideration paid for the membership; adds other related prohibitions, requirements, and penalties. - Amends TCA Title 47, Chapter 18; Title 56 and Title 71. by *Darby. (*SB504 by *Powers)

Rep. Lamberth moved that **House Bill No. 633** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 883 -- Abortion - As introduced, requires the state capitol commission to be responsible through funds appropriated to the commission, after funds from the construction and placement have been exhausted, for the upkeep and maintenance of a monument on the capitol campus that is in memory of the victims of abortion. - Amends TCA Title 4; Title 29; Title 33; Title 37; Title 38; Title 39; Title 40; Title 53; Title 56; Title 62; Title 63; Title 68 and Title 71. by *Helton-Haynes, *Rudder, *Hazlewood, *Farmer, *Whitson, *Moody, *Littleton, *McCalmon, *Raper, *Eldridge, *Martin B, *Bulso, *Moon, *Powers, *Bricken, *Gant, *Carringer, *Vaughan, *Alexander, *Ragan, *White, *Hurt, *Reedy. (*SB745 by *Briggs, *Haile, *Johnson, *Yager)

Rep. Helton-Haynes moved that House Bill No. 883 be passed on third and final consideration.

Rep. Terry requested that Health Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Terry requested that Health Committee Amendment No. 2 be placed at the heel of the amendments.

Rep. G. Johnson moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 883 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-213, is amended by deleting subsection (b) and substituting instead the following:

(b) Except as provided in subsection (f), a person who performs or attempts to perform an abortion commits the offense of criminal abortion. Criminal abortion is a Class C felony.

SECTION 2. Tennessee Code Annotated, Section 39-15-213, is amended by adding the following as new subsections:

(f) An abortion is not a violation of this section if:

(1) The abortion is performed on a patient under eighteen (18) years of age whose pregnancy is the result of:

(A) Aggravated rape, as defined by § 39-13-502;

(B) Rape, as defined by § 39-13-503;

(C) Mitigated statutory rape, statutory rape, or aggravated statutory rape, as defined by § 39-13-506;

(D) Rape of a child, as defined by § 39-13-522;

(E) Statutory rape by an authority figure, as defined by § 39-13-532;

(F) Especially aggravated rape, as defined by § 39-13-534;

(G) Especially aggravated rape of a child, as defined by § 39-13-535; or

(H) Incest, as defined by § 39-15-302;

(2) The abortion is performed by a physician, who is licensed or certified under title 63, chapter 6 or 9; and

(3) At the time of the abortion, the patient had been pregnant for twenty-two (22) weeks or less, as calculated from the first day of the last menstrual period of the patient and confirmed by an ultrasound.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Hazlewood moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	74
Noes	23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk,

Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson, Towns--23

Rep. G. Johnson moved adoption of House Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 883 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-201, is amended by deleting the section and substituting instead:

(a) For purposes of this part:

(1) "Abortion" means the use or attempted use of an instrument, medicine, drug, other substance, or device with intent to terminate the intrauterine pregnancy of a woman known to be pregnant;

(2) "Criminal abortion":

(A) Means an abortion performed with intent other than to increase the probability of a live birth, to preserve the life or health of a child after live birth, or to remove a dead fetus; and

(B) Does not include a termination of a pregnancy of a woman known to be pregnant that is performed by a physician to:

(i) Remove a medically futile pregnancy;

(ii) Remove an ectopic or molar pregnancy;

(iii) Dispose of an unimplanted fertilized egg;

(iv) Address a lethal fetal anomaly; or

(v)

(a) Prevent or treat a medical emergency;

and

(b)

(1) If the gestational age of the unborn child is less than twenty (20) weeks, provide the best opportunity for an unborn child to survive, unless in the physician's good faith medical judgment, compliance with this subdivision (a)(2)(B)(v)(b)(1) would pose a greater risk of the death of the pregnant woman or serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman; or

(2) If the gestational age of the unborn child is twenty (20) weeks or more, provide the best opportunity for the unborn child to survive by attempting to deliver the unborn child, unless in the physician's good faith medical judgment, compliance with this subdivision (a)(2)(B)(v)(b)(2) would cause the death of the pregnant woman or pose a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman;

(3) "Fertilization" means that point in time when a male human sperm penetrates the zona pellucida of a female human ovum;

(4) "Gestational age" or "gestation" means the age of an unborn child as calculated from the first day of the last menstrual period of a pregnant woman;

(5) "Lethal fetal anomaly" means a fetal condition diagnosed before birth that, in the physician's good faith medical judgment, is incompatible with life outside the womb and for which medical intervention would be futile;

(6) "Medical emergency" means a medical condition that, in the physician's good faith medical judgment, is such that the failure to perform an abortion would result in the death of the pregnant woman, create a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman, or result in serious dysfunction of a bodily organ or part of the pregnant woman;

(7) "Medically futile pregnancy" means a pregnancy that, in the physician's good faith medical judgment, despite medical intervention will not develop further and involves an unborn child who will not survive outside the womb;

(8) "Physician," "the attending physician," or "the referring physician" means a person who is licensed to practice medicine or

osteopathy in this state, including a physician qualified pursuant to § 63-6-207(d) or § 63-9-104(d);

(9) "Pregnant" means the human female reproductive condition of having a living unborn child within her body throughout the entire embryonic and fetal stages of the unborn child from fertilization until birth;

(10) "Serious risk of the substantial and irreversible impairment of a major bodily function" means a medically diagnosed condition that, in the physician's good faith medical judgment, so complicates the pregnancy of a woman as to directly or indirectly cause the substantial and irreversible impairment of a major bodily function; such medically diagnosed conditions may include previable preeclampsia, previable placenta accrete spectrum, cesarean scar ectopic pregnancy, inevitable abortion, or previable premature rupture of the membranes, but does not include any condition that:

(A) Is based on a claim or diagnosis that the woman will engage in conduct that would result in her death or the substantial and irreversible impairment of a major bodily function; or

(B) Relates primarily to the pregnant woman's mental health; and

(11) "Unborn child" means an individual living member of the species, homo sapiens, throughout the entire embryonic and fetal stages of the unborn child, from the point in time when a male human sperm penetrates the zona pellucida of a female human ovum until birth, but does not include the creation or destruction of fertilized embryos outside the body of a woman.

(b)

(1) It is an offense to perform or attempt to perform a criminal abortion.

(2) It is an offense to compel, coerce, or unlawfully force another person in order to obtain or procure a criminal abortion.

(3)

(A) A violation of subdivision (b)(1) is a Class C felony.

(B) A violation of subdivision (b)(2) is a Class A misdemeanor.

(c) This section does not subject the pregnant woman upon whom an abortion is performed or attempted to criminal liability.

(d)

(1) This section does not apply to medical treatment provided by a physician to a pregnant woman that results in the accidental death of, or unintentional injury to, an unborn child. This subdivision (d)(1) includes dispensing and administering medications that can be used to induce an abortion but are being used in good faith for the primary purpose of treating other medical conditions and without intent to terminate the pregnancy of a woman known to be pregnant.

(2) A person authorized to provide healthcare services pursuant to title 63 or 68 who participates in performing or attempting to perform an abortion lawfully performed pursuant to subdivision (a)(2)(B) does not commit the offense of criminal abortion.

(3) A pharmacist or prescriber acting in good faith in the provision of abortifacient medications with multiple indications does not commit the offense of criminal abortion if the pharmacist or prescriber either:

(A) Does not intend to terminate the pregnancy of a woman known to be pregnant; or

(B) Confirms with the woman's physician before providing the medications to the physician that, in the physician's good faith medical judgment, the medications are prescribed to perform a lawful abortion pursuant to subdivision (a)(2)(B).

SECTION 2. Tennessee Code Annotated, Section 39-15-202, is amended by deleting the section and substituting instead:

(a) Except in a medical emergency that prevents compliance with this subsection (a), an abortion shall not be performed or induced upon a pregnant woman unless the woman has provided her informed written consent, given freely and without coercion. Consent given by a woman pursuant to this subsection (a) is confidential pursuant to 45 CFR Part 160 and Subparts A and E of Part 164.

(b) In order to ensure that consent for an abortion is truly informed consent, except in a medical emergency that prevents compliance with this subsection (b) or any of the requirements of subdivisions (b)(1)-(4), an abortion shall not be performed or induced upon a pregnant woman unless the woman has first been informed orally and in person by the attending physician who is to perform the abortion, or by the referring physician, of the following facts and has signed a consent form acknowledging that she has been informed as follows:

(1) That according to the good faith medical judgment of her attending or referring physician she is pregnant;

(2) The probable gestational age of the unborn child at the time the abortion is to be performed, based upon the information provided by her as to the date of her last menstrual period or after a history, physical examination, and appropriate laboratory tests;

(3) That if a child is prematurely born alive in the course of an abortion, then the physician performing the abortion has a legal obligation to take steps to preserve the life and health of the child; and

(4) That the physician determined, in the physician's good faith medical judgment, that the abortion is medically necessary pursuant to § 39-15-201(a)(2)(B) and the reason for the medical necessity.

(c) Except in a medical emergency that prevents compliance with this subsection (c), at the same time the attending physician or referring physician provides the information required by subsection (b), that physician shall inform the pregnant woman of the particular risks associated with her pregnancy and continuing the pregnancy to term, based upon the information known to the physician, as well as the risks of undergoing an abortion, along with a general description of the method of abortion to be used and the medical instructions to be followed subsequent to the abortion.

(d) When a medical emergency compels the performance or inducement of an abortion, the physician shall inform the woman, prior to the abortion or inducement of an abortion if possible, of the medical reasons supporting the physician's judgment that an abortion or inducement of an abortion is medically necessary pursuant to § 39-15-201(a)(2)(B).

(e) In any case in which a physician has determined that a medical emergency exists that excuses compliance with subsection (a), (b), (c), or (d), the physician shall state in the pregnant woman's medical records the basis for such determination.

(f) Except in a medical emergency that prevents compliance with subsection (b), the physician performing or inducing the abortion shall provide the pregnant woman with a duplicate copy of the consent form signed by the pregnant woman.

SECTION 3. Tennessee Code Annotated, Section 39-15-203, is amended by adding the following new subsection:

(e) A record filed pursuant to this part may be admissible in a court proceeding but must not be used by any state or local agency for the purpose of initiating a law enforcement investigation into a violation of this part without additional supporting evidence that a violation of this part may have occurred.

SECTION 4. Tennessee Code Annotated, Section 39-15-206, is amended by deleting the section and substituting instead:

(a) The rights to medical treatment of an infant prematurely born alive in the course of an abortion or criminal abortion are the same as the rights of any other infant. A person who performs or induces an abortion shall exercise that degree of professional skill, care, and diligence in accordance with good medical

practice necessary to preserve the life and health of an infant prematurely born alive in the course of an abortion.

(b) A cause of action for wrongful death shall not be brought that arises out of the death of a fetus or infant during the course of a lawful abortion, whether the fetus or infant is quick or not, so long as the abortion is performed in accordance with this part; however, once an infant is born alive, any person in attendance is civilly responsible for providing all care that is reasonable and necessary under the circumstances and in the general vicinity in which the person in attendance practices.

(c) A person who violates subsection (a) commits a Class E felony.

SECTION 5. Tennessee Code Annotated, Section 39-15-207, is amended by deleting the language "a voluntary abortion" and substituting instead the language "a criminal abortion".

SECTION 6. Tennessee Code Annotated, Section 39-15-208(c), is amended by deleting the subsection.

SECTION 7. Tennessee Code Annotated, Section 39-15-210(b), is amended by deleting the subsection and substituting instead:

When a physician has reasonable cause to report the sexual abuse of a minor pursuant to § 37-1-605 because the physician has been requested to perform an abortion on a minor, the physician shall, at the time of the report, also notify the official to whom the report is made of the date and time of the scheduled abortion and that a sample of the embryonic or fetal tissue extracted during the abortion will be preserved and available to be turned over to the appropriate law enforcement officer conducting the investigation into the rape of the minor.

SECTION 8. Tennessee Code Annotated, Section 39-15-211, is amended by deleting the section and substituting instead:

(a) A physician accused of an offense under § 39-15-201 may seek a hearing before the state medical board that licenses the physician on whether the physician's conduct constitutes criminal abortion. The medical board's findings pursuant to this section are admissible at any trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial to permit the hearing to take place.

(b) This section does not impede or limit a physician's rights under the United States Constitution or in any way adversely affect the burden of proof required in a criminal trial of an accused physician.

SECTION 9. Tennessee Code Annotated, Sections 39-15-212 through 39-15-218, are amended by deleting the sections.

SECTION 10. Tennessee Code Annotated, Section 39-15-219, is amended by deleting subdivisions (a)(6) and (a)(7).

SECTION 11. Tennessee Code Annotated, Section 29-34-212(c), is amended by deleting the language "§ 39-15-213" and substituting instead the language "§ 39-15-201".

SECTION 12. Tennessee Code Annotated, Section 37-10-307(b), is amended by deleting the subsection.

SECTION 13. Tennessee Code Annotated, Section 37-10-302(1), is amended by deleting the subdivision and substituting instead:

(1) "Abortion" has the same meaning as defined in § 39-15-201(a)(1);

SECTION 14. Tennessee Code Annotated, Section 40-32-101(g)(1)(B)(xiv), is amended by deleting the language "(b)(3)" and substituting instead the language "(b)(2)".

SECTION 15. Tennessee Code Annotated, Section 56-26-134, is amended by deleting the last sentence and substituting instead:

For purposes of this section, "abortion" has the same meaning as "criminal abortion" as defined in § 39-15-201.

SECTION 16. Tennessee Code Annotated, Section 71-5-157, is amended by deleting the section.

SECTION 17. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Littleton moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes 73
Noes..... 23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson, Towns--23

Rep. Clemmons moved adoption of House Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 883 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-213, is amended by deleting subsection (b) and substituting instead the following:

(b) Except as provided in subsection (f), a person who performs or attempts to perform an abortion commits the offense of criminal abortion. Criminal abortion is a Class C felony.

SECTION 2. Tennessee Code Annotated, Section 39-15-213, is amended by adding the following as new subsections:

(f) An abortion is not a violation of this section if:

(1)

(A) The abortion is performed on a patient under eighteen (18) years of age whose pregnancy is the result of:

(i) Aggravated rape, as defined by § 39-13-502;

(ii) Rape, as defined by § 39-13-503;

(iii) Mitigated statutory rape, statutory rape, or aggravated statutory rape, as defined by § 39-13-506;

(iv) Rape of a child, as defined by § 39-13-522;

(v) Statutory rape by an authority figure, as defined by § 39-13-532;

(vi) Especially aggravated rape, as defined by § 39-13-534;

(vii) Especially aggravated rape of a child, as defined by § 39-13-535; or

(viii) Incest, as defined by § 39-15-302;

(B) The abortion is performed by a physician, who is licensed or certified under title 63, chapter 6 or 9; and

(C) At the time of the abortion, the patient had been pregnant for twenty-two (22) weeks or less, as calculated from the first day of the last menstrual period of the patient and confirmed by an ultrasound; or

(2) The abortion is performed or attempted by a licensed physician to save the life or health of the pregnant woman, and the failure to perform

an abortion would result in the death of the pregnant woman, create a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman, or result in serious dysfunction of a bodily organ or part of the pregnant woman.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Cochran moved that House Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes 74
Noes..... 22

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Towns--22

Rep. G. Johnson moved adoption of House Amendment No. 6 as follows:

Amendment No. 6

AMEND House Bill No. 883 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-213, is amended by deleting the section and substituting:

(a) As used in this section:

(1) "Abortion" means the use of an instrument, medicine, drug, or another substance or device with intent to terminate the pregnancy of a woman known to be pregnant with intent other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, to remove a dead fetus; or to treat an ectopic pregnancy or fetal anomaly not consistent with life;

(2) "Pregnancy" means the human reproductive process, beginning with the implantation of an embryo;

(3) "Reproductive health care" means health care and other medical services related to the reproductive processes, functions, and systems at all stages of life and includes, but is not limited to, family planning and contraceptive care; abortion care; prenatal, postnatal, and delivery care; fertility care; sterilization services; and treatments for sexually transmitted infections and reproductive cancers; and

(4) "Viability" means the point in a pregnancy when, in the good faith medical judgment of a physician, based on the particular facts of the case before that physician, there is a reasonable likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.

(b)

(1) Every person has a fundamental right to make decisions about the person's reproductive health care, including the fundamental right to use or refuse contraception.

(2) A pregnant woman has a fundamental right to continue a pregnancy and give birth or to have an abortion before viability of the fetus or when necessary to protect the life or health of the woman and to make decisions about how to exercise that right.

(3) A fertilized egg, embryo, or fetus does not have independent or derivative rights under the laws of this state.

(c) This state or a department, agency, entity, or political subdivision of this state shall not deny, restrict, interfere with, or discriminate against a person's fundamental rights as described in subsection (b) in the regulation or provision of benefits, facilities, services, or information.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Farmer moved that House Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes	74
Noes.....	22

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Beck, Camper, Chism, Clemmons, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson, Towns--22

Rep. G. Johnson moved adoption of House Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 883 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-213, is amended by deleting subsections (b) and (c) and substituting:

(b) A person commits the offense of criminal abortion when the person performs or attempts to perform an abortion that was not:

(1) Necessary due to a medical emergency, as defined in § 39-15-211; or

(2) Performed or attempted on a patient whose pregnancy is the result of aggravated rape, as defined by § 39-13-502; rape, as defined by § 39-13-503; rape of a child, as defined by § 39-13-522; especially aggravated rape, as defined by § 39-13-534; especially aggravated rape of a child, as defined by § 39-13-535; or incest, as defined by § 39-15-302.

(c) Criminal abortion is a Class A misdemeanor.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to acts committed on or after that date.

Rep. Williams moved that House Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes	74
Noes.....	23

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson, Towns--23

Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 883 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-15-213(a)(1), is amended by adding the language "to terminate an ectopic or molar pregnancy," before the language "or to remove a dead fetus".

SECTION 2. Tennessee Code Annotated, Section 39-15-213, is amended by deleting subsection (c) and substituting the following:

(c)

(1) Notwithstanding subsection (b), a person who performs or attempts to perform an abortion does not commit the offense of criminal abortion if the abortion is performed or attempted by a licensed physician in a licensed hospital or ambulatory surgical treatment center and the following conditions are met:

(A) The physician determined, using reasonable medical judgment, based upon the facts known to the physician at the time, that the abortion was necessary to prevent the death of the pregnant woman or to prevent serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman; and

(B) The physician performs or attempts to perform the abortion in the manner which, using reasonable medical judgment, based upon the facts known to the physician at the time, provides the best opportunity for the unborn child to survive, unless using reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk of death to the pregnant woman or substantial and irreversible impairment of a major bodily function.

(2) An abortion is not authorized under subdivision (c)(1)(A) and a greater risk to the pregnant woman does not exist under subdivision (c)(2)(B) if either determination is based upon a claim or a diagnosis that the pregnant woman will engage in conduct that would result in her death or the substantial and irreversible impairment of a major bodily function or for any reason relating to the pregnant woman's mental health.

SECTION 3. Tennessee Code Annotated, Section 39-15-213, is amended by adding the following as a new subsection:

() While this section is in effect, this section supersedes §§ 39-15-211, 39-15-212, 39-15-214, 39-15-215, 39-15-216, 39-15-217, and 39-15-218.

SECTION 4. Tennessee Code Annotated, Section 39-15-201, is amended by deleting the section.

SECTION 5. Tennessee Code Annotated, Section 39-15-219(a)(6), is amended by deleting the subdivision.

SECTION 6. Tennessee Code Annotated, Section 56-26-134, is amended by deleting the language "abortion services. For purposes of this section, "abortion" has the same meaning as defined in § 39-15-201." and substituting instead "prohibited abortion services as described in § 39-15-213."

SECTION 7. The attorney general and reporter shall notify the Tennessee Code Commission in writing if § 39-15-213 is no longer in effect.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Terry moved adoption of House Amendment No. 1 of Amendment No. 1 as follows:

Amendment No. 1 of Amendment No. 1

AMEND House Bill No. 883 by deleting "subdivision (c)(2)(B)" in subdivision (c)(2) in SECTION 2 and substituting "subdivision (c)(1)(B)".

On motion, House Amendment No. 1 of Amendment No. 1 was adopted by the following vote:

Ayes 80
Noes 16

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--80

Representatives voting no were: Beck, Chism, Clemmons, Dixie, Glynn, Hakeem, Hardaway, Harris, Johnson G, Jones, McKenzie, Miller, Parkinson, Powell, Shaw, Towns--16

On motion, Health Committee Amendment No. 1, as amended, was adopted.

Rep. Terry moved adoption of Health Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 883 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

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SECTION 8. Tennessee Code Annotated, Section 39-15-203, is amended by adding the following new subsection:

(e) The department of health shall collect the reports submitted pursuant to this section and report quarterly the number of abortions performed in this state to the governor, the speaker of the senate, the speaker of the house of representatives, and the chairs of the health and welfare committee of the senate and the health committee of the house of representatives no later than January 1, April 1, July 1, and October 1 of each year. Any cost associated with implementing this subsection (e) must be provided from within existing resources of the department of health.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Helton-Haynes moved that **House Bill No. 883**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes.....	11
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Clemmons, Cochran, Crawford, Davis, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--83

Representatives voting no were: Camper, Chism, Dixie, Doggett, Harris, Johnson G, Jones, Miller, Mitchell, Richey, Shaw--11

Representatives present and not voting were: Barrett, Grills--2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 883** and have this statement entered in the Journal: Rep. Towns.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1217** -- Public Funds and Financing - As introduced, sets a deadline of February 15 by which TACIR must present its annual inventory of statewide public infrastructure

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needs and costs for provision of adequate and essential public infrastructure to the general assembly each year. - Amends TCA Title 4; Title 9 and Title 49. by *Sexton, *Zachary, *Lamberth, *White, *Williams, *Faison, *Vaughan, *Love, *Beck. (SB1459 by *McNally, *Massey)

Rep. Zachary moved that House Bill No. 1217 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1217 by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 4-15-102(a), is amended by designating the existing language as (a)(1)(A)-(C) and adding the following new subdivision (a)(2):

(2)

(A) Notwithstanding another law to the contrary, a public institution of higher education may, at the institution's discretion, approve and supervise the public institution of higher education's capital project if:

(i) The project is managed by a higher education state procurement agency;

(ii) The project involves a building or facility used primarily for non-academic purposes; and

(iii) The project is either fully funded by donations received from a third-party or revenue from self-supporting auxiliary projects, including projects financed with revenue bonds, or both.

(B) If a public institution of higher education approves or supervises a project under subdivision (a)(2), then:

(i) A net increase in square footage of the building or facility is not eligible for maintenance funding from this state;

(ii) To the extent that following commission policies does not remove the authority provided by subdivision (a)(2)(A), the higher education state procurement agency shall follow commission policies regarding the final selection of designers and contractors, and shall be responsible for the final selection of designers and contractors for the project;

(iii) To the extent that following commission policies does not remove the authority provided by subdivision (a)(2)(A), the higher education state procurement agency shall follow

commission policies regarding resolution of procurement protests, and shall be responsible for the final resolution of protests;

(iv) The higher education state procurement agency shall utilize contracts provided by the state architect and may revise the terms of such contracts only upon the approval of the state architect; and

(v) The project must be approved by the governing board of the institution of higher education, or its designee, and must be reported to the commission on a quarterly basis. Reports required pursuant to this subdivision (a)(2)(B)(v) must begin at the time a contract for the building or design of a project is executed and end upon completion of the project. However, projects reported pursuant to this subdivision (a)(2)(B)(v) are not subject to additional disclosure by a state entity beyond the inclusion of revenue bonds requested for the project in the general appropriations act.

SECTION 2. Tennessee Code Annotated, Section 4-15-102(c)(1), is amended by adding the following new subdivision (D):

(D) For capital projects that do not utilize funds appropriated for capital maintenance or capital outlay, a public institution of higher education may select and contract with designers, architects, or engineers and complete up to fifty percent (50%) of schematic design work for capital projects prior to submission to the commission for review and approval if the following conditions are met:

(i) To the extent that following commission policies does not remove the authority provided by subdivision (a)(2)(A), the higher education state procurement agency shall follow commission policies regarding the final selection of designers and shall be responsible for the final selection of designers for the project;

(ii) To the extent that following commission policies does not remove the authority provided by subdivision (a)(2)(A), the higher education state procurement agency shall follow commission policies regarding resolution of procurement protests, and shall be responsible for the final resolution of protests;

(iii) The higher education state procurement agency shall utilize contracts provided by the state architect; and

(iv) The project must be approved by the governing board of the institution of higher education, or its designee.

SECTION 3. Tennessee Code Annotated, Section 4-15-102(e), is amended by adding the following as a new subdivision:

(3) Public institutions of higher education shall establish a transparent process to publicly disclose capital projects of ten million dollars (\$10,000,000) or

less that do not utilize bond funds or funds appropriated for capital outlay or capital maintenance and are paid with current or residual funds, directly to the state building commission. The disclosure required pursuant to this subdivision (e)(3) must consist of a description of the project and the project budget and funding source, as the project is approved by the board of the institution or the board's designee. Projects disclosed pursuant to this subdivision (e)(3) are not subject to additional disclosure requirements by a state entity.

SECTION 4. Tennessee Code Annotated, Section 4-15-107, is amended by inserting the following as a new appropriately designated subdivision:

"State procurement agency" means, as appropriate, the department of general services, state of Tennessee real estate asset management; University of Tennessee, department of capital projects; Tennessee board of regents, department of facilities development; East Tennessee State University, office of facilities management, planning, and construction; Austin Peay State University, capital planning, design and construction; Tennessee Technological University, office of capital projects and planning; Middle Tennessee State University, department of campus planning; and University of Memphis, department of campus planning and design, or the successors-in-interest to such departments, or any additional state entities, or subdivisions thereof, as determined by the commission.

SECTION 5. Tennessee Code Annotated, Section 4-15-107(3), is amended by deleting subdivisions (A) and (B) and substituting instead:

(A) Is being funded by direct appropriations for major maintenance;

(B) Will cost a state entity, other than a public institution of higher education, in excess of two hundred fifty thousand dollars (\$250,000); or

(C) Will cost a public institution of higher education in excess of one million dollars (\$1,000,000); and

SECTION 6. Tennessee Code Annotated, Section 49-7-132, is amended by deleting the section and substituting instead:

An expenditure or combination of separate expenditures in excess of one million dollars (\$1,000,000), or a subsequent greater threshold established by the state building commission, made in a six-month period on a single building or structure owned or leased by a public institution of higher education or governing board of the institution, is subject to the approval of the state building commission.

SECTION 7. This act takes effect July 1, 2023, the public welfare requiring it, and applies to projects under the approval or supervision of the state building commission prior to and after the effective date of this act.

On motion, State Government Committee Amendment No. 1 was adopted.

MONDAY, MARCH 20, 2023 – SIXTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Zachary moved that **House Bill No. 1217**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

House Bill No. 316 -- Financial Institutions, Dept. of - As introduced, enacts the "Money Transmission Modernization Act". - Amends TCA Title 45. by *Lamberth, *Cochran, *Bricken. (*SB268 by *Johnson)

On motion, House Bill No. 316 was made to conform with **Senate Bill No. 268**; the Senate Bill was substituted for the House Bill.

Rep. Bricken moved that **Senate Bill No. 268** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 78
Noes..... 10
Present and not voting..... 2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Burkhart, Camper, Carr, Carringer, Chism, Clemmons, Cochran, Crawford, Davis, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, White, Whitson, Williams, Wright, Zachary--78

Representatives voting no were: Barrett, Bulso, Butler, Capley, Cepicky, Dixie, Doggett, Fritts, Richey, Warner--10

Representatives present and not voting were: Campbell S, Lafferty--2

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE

Rep. Richey filed a proposed change to **Rule No. 83(10)** to be considered as an amendment to the Permanent Rules of Order in accordance with the provisions of **Rule No. 74**.

83. UNIFORM RULES OF COMMITTEES.

(10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution must be completed by roll call vote. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a bill or resolution fails to pass, or is postponed indefinitely, then the same shall not be considered by the committee again during this General Assembly.

Without objection, Speaker Sexton ruled that the motion must lie over one day and be addressed during Unfinished Business on the following legislative day.

MOTION TO PLACE BILL ON CALENDAR

Rep. Faison moved that **Senate Joint Resolution No. 159** be placed on the next available Regular Calendar, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **Senate Joint Resolution No. 31** to be heard in the Cities and Counties Subcommittee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 273** to be heard in the Health Subcommittee this week, which motion prevailed.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 441, 1397 and 26** to be heard in the Criminal Justice Subcommittee this week, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 99 Reps. Hawk and Williams as prime sponsors.

House Joint Resolution No. 427 Reps. McKenzie, Hakeem, Harris, Chism, Parkinson, Shaw, Miller, Towns, Pearson, Hardaway, Dixie, Love, Camper and Glynn as prime sponsors.

House Joint Resolution No. 466 Rep. Gant as prime sponsor.

House Bill No. 90 Reps. Carringer and Doggett as prime sponsors.

House Bill No. 170 Reps. Sherrell, Capley, Gant, Howell, Slater and Barrett as prime sponsors.

House Bill No. 403 Rep. Gant as prime sponsor.

House Bill No. 433 Rep. Slater as prime sponsor.

House Bill No. 437 Rep. Ragan as prime sponsor.

House Bill No. 474 Rep. Ragan as prime sponsor.

House Bill No. 594 Rep. Lamberth as prime sponsor.

House Bill No. 595 Rep. Slater as prime sponsor.

House Bill No. 633 Rep. Hale as prime sponsor.

House Bill No. 830 Rep. Sherrell as prime sponsor.

House Bill No. 994 Reps. Powers and Vital as prime sponsors.

House Bill No. 1044 Reps. Powers and Vital as prime sponsors.

House Bill No. 1233 Rep. Hardaway as prime sponsor.

House Bill No. 1277 Rep. Ragan as First prime sponsor.

House Bill No. 1376 Rep. Hawk as prime sponsor.

House Bill No. 1481 Reps. Todd, Zachary, Grills, Kumar, Doggett and Powers as prime sponsors.

SPONSORS WITHDRAWN

On Motion, Rep. Moon withdrew as sponsor of **House Bill No. 474**.

**MESSAGE FROM THE SENATE
March 20, 2023**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 327, 359, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 and 385; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 20, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 327, 359, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 and 385; for his action.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 94

RECESS

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

On motion of Rep. Cochran, the House stood in recess until 9:00 a.m., Thursday, March 23, 2023.